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JOURNALS OF THE HOUSE OF REPRESENTATIVES
OF MASSACHUSETTS

VOLUME XXXI

Committee of Publication

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JOURNALS

of the

House of Representatives
of Massachusetts

1754-1755

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Introduction

THIS General Court held three sessions, during the first of which the members sat for eighty-five days between May 29, 1754, and January 11, 1755, with one long break from June 19 to October 17. The other two Sessions were short—the second lasted twenty days and the third eleven—116 days of work, compared with 94 of the preceding General Court. This year 110 members attended the opening. Fifty-two towns were not represented; three towns sent two members each—Boston sent four; two towns joined in sending one member in five different parts of the Province, and in one case there was one man to represent three towns.

When the Council was chosen, twenty-seven members of the twenty-eight were returned from last year—John Quincy was dropped from the list, and John Erving was added. The same Governor, Lieutenant-Governor, Secretary, Treasurer, and Commissary-General continued to serve, together with two of the same Monitors who held office during the previous year in the House.

There was more complaining than usual this year about taxes. On June 8, 1754, the Committee on the Tax Bill was ordered to “bring in a Clause in said Bill for laying a double Province Tax on all Persons living Bachelors between twenty-eight and fifty Years of Age,” but this matter was not mentioned again. However, there was much quarrelling over another item in the bill—the tax on liquor was fought over in both the House and the Council for months. On the fourth day of the first Session, a committee reported

that they apprehend it just and reasonable that an Excise should be paid on all spirituous Liquors expended within this Province; and therefore it is necessary that some suitable Clause be bro't into the next Excise Act to enable the Farmer thereof to demand an Account of all and every Person or Persons whomsoever within this Government, of all the Wine Rum Brandy or other distilled Spirits expended by them (on Oath if required) and that all such Persons be obliged to pay such an Excise therefor as shall be set in said Act (except such Part thereof as shall be purchased by those Persons who by said Act shall be obliged to pay the Excise for the same) and whoever shall refuse to give in such an Account as aforesaid shall forfeit and pay to the Farmer of said Excise the Sum of *ten Pounds*, saving His Excellency the Governour, the Lieut. Governour, the President, Professors Fellows and Students of *Harvard College*, together with the settled Ministers of the Province, who shall not be held to render an Account as aforesaid (14).

The committee was ordered to prepare a draft of this bill. Two weeks later, the House, in a message, complained to the Council about their not agreeing that “all that consumed spirituous Liquors, the Rich as well as the Poor; those who consumed them for Luxury, as well as those who consumed the same for Necessity, might pay an Excise therefor” (43). At this time the Council passed the

bill to be enacted, but Governor Shirley would not agree to it. He delivered a speech before the General Court two days later, giving his reasons for not signing the bill. For one thing, he did not wish to "join in imposing a *Burden* upon the People, which would be inconsistent with the *natural Rights* of every private Family in the Community," by making them "keep and render an Account of the Quantity of the excisable Liquors, which they shall consume in their *private Houses*, to Collectors and their Deputies; and *that too upon Oath*, if required by *those Officers*." He added that "This Method of raising Money is certainly not only of an extraordinary Kind, but altogether unprecedented in the *English Government*." He saw that this law would meet with "the Dissatisfaction and Murmuring, which the News of it's being pass'd by the two *Houses*, seems already to have rais'd in several Parts." Governor Shirley complained, also, that the House had intimated in a message to the Council that, unless this bill passed, "*the Treasury would be in Danger of remaining unsupplied*." He reminded them that this had "a direct Tendency to weaken the Credit of the Government" (45-47).

After considering this speech, the House "*Ordered*, That that Part of the Excise Bill which relates to Private Consumption of Wines and Spirits distill'd, should be printed, and sent to the several Towns in this Province for Consideration." The Governor had told them that he thought this was the least they could do in justice to their constituents. His speech was printed in the *Gazette* on the following day so that it could be sent to each town, together with copies of the Excise Bill. On November 22, a message came down from the Council complaining that the bill appeared to be "unnecessarily burthensome to a considerable Number of his Majesty's Subjects; and to have a Tendency to discourage the Trade and Manufactures of the Province." The Board agreed to "the general Design of the Bill, in subjecting all the Liquors that shall be expended in the Province to an equal Duty," and they approved of "the Manner of raising the Duty, by laying it on the Manufacturer and Importer, instead of the Retailer." But they were afraid that the farmers of the "Duty on the Stills" might be able to put into their own pockets many thousands of pounds which they had collected. These and other objections to the proposed bill made it necessary to have revisions and amendments made, over and over again, until the subject had been brought up about fifty times this year before it was finally passed to be enacted on February 21, 1755. Two weeks before it passed, the Council thought that too many licences for the sale of liquor had been granted, and they feared that the number of licences granted had been "not a little increased, to the Hurt of the Morals of the People of this Province" (216).

The Monster of Monsters was the name of a printed pamphlet which was laid on the table of the House on October 24, 1754, as "a false scandalous Libel, re-

flecting upon the Proceedings of this House in general, and on many worthy Members in particular." So it was "*Ordered*, That the said Pamphlet be burnt by the Hands of the common Hangman below the Court-House in King-Street, *Boston*, and that the Messenger of the House see the same carried into Execution." Then Daniel Fowle, the printer, was arrested and ordered to be "committed to the common Gaol." His apprentice, Joseph Russell, was brought in for questioning. Zechariah Fowle and Royall Tyler, who were reported as being concerned in printing and publishing the pamphlet, were also brought in and questioned. Tyler "moved for Council," but the House decided against this. Then the only answer he would give to their questions was that "A Right of Silence was the Privilege of every Englishman." We do not find out the names of the "many worthy Members" mentioned in this pamphlet, nor how this case ended. Another thing which annoyed the House was a petition which came down from the Council on November 13, 1754. The members decided to dismiss it, because "*this Petition contains several indecent Reflections on the Laws and Legislature of this Province.*"

The members were looking out for their comfort this year. On October 21, 1754, a committee was appointed for repairing the Province House, and to "make a convenient Covert-Way from said House to the Street, that Persons may pass and repass dry in foul Weather." Then, on December 10, it was "*Ordered*, That the Messenger of the House be directed to keep a Fire in the Green-Chamber (so called) every Day during the Sitting of the Court, in the Winter Season." And, finally, on April 25, a few days before the Court was dissolved for the year, it was

Ordered, That a public Dinner be provided in the Town of *Boston*, for the Representatives (and they only) that may be returned from the several Towns to serve in the General Court the next Year; and that the Members of the Town of *Boston* that may be chosen for the ensuing Year, are desired to contract with some Person to provide the same in the most frugal Manner they can, and they take effectual Care that the Province be not imposed upon by any undue Charges, or otherwise (283).

The farmers were having their troubles with canker worms in their apple trees, wolves destroying their sheep, and barberry bushes injuring their grain. The fishermen of Massachusetts also had their worries. They complained that French vessels were fishing on the "Banks of *Newfoundland* and other Banks not ceded to the *French* by the Treaty of Utrecht." So Mr. Bollan, the Agent for the Province in London, was instructed to ask for "a suitable Number of His Majesty's Ships" to prevent the French from fishing there; and he was to ask Parliament to "pass an Act restraining any fishing Vessels of the Burden of thirty Tons and upwards, reckoning Carpenter's Tonnage, going out of any Port of his Majesty's *American* Dominions on a Voyage for catching or taking Cod-

Fish before the first Day of *April* yearly, such Act to continue for the Space of five Years" (178). And on February 17, 1755, a bill was ordered to be brought in "further to regulate the taking of Fish in the several Rivers and Streams in this Government." Two days later, a committee was ordered to see what might be done to prevent "Deceit in packing Fish etc."

Manufacturing was being encouraged this year, and a few of the industries of the Province were mentioned in petitions and bills. On December 7, 1753, Benjamin Davis had asked for a bounty to help him in "the making of Indigo," and on June 11, 1754, it was ordered that he be allowed "*twelve Pence* on every Pound of Indigo he shall manufacture for the Space of five Years next coming . . . on Oath by him made before two Justices of the Peace, *Quorum Unus*, that the said Indigo was the Growth of this Province, and manufactured by him." On February 26, 1747/48, Eastes Hatch and John Overing proposed "a Scheme for manufacturing Hemp and Flax within this Province." A few months before this (Volume XXIV, 99) a number of Boston business men complained about the inferior quality of flax imported from Connecticut and Long Island. Now, about five years later, hemp was still being imported from Great Britain, for on December 24, 1754, some rope-makers petitioned to be relieved of the duty on it. On June 12, 1753, a bill was brought in for granting £1500 "to encourage the Manufacture of Linnen." This bill had been rushed through and passed to be enacted two days later. A year and a half afterwards, a "Report of the Trustees of the Linnen Manufactory" was brought down from the Council, "Read and accepted," and no more is reported on the subject (201).

The leather manufacturers were petitioning for help. They asked, on November 18, 1754, to have the exportation of raw hides prohibited, and a committee was appointed to prepare a bill for "the better Manufacturing of Leather within this Province" (216). A regulation of another Massachusetts industry was asked for on November 16, when a petition was brought in to have assayers appointed to pass on the potash and pearlash that was being manufactured in and exported from the Province. At least one company had been encouraged to make potash here, for on December 19, 1753, John Franklin asked for money to help his company manufacture it. Franklin's petition came up again in this volume (205), and his company was allowed a grant of "fifteen Hundred Acres of Land, with the Addition of sixty three Acres and forty Rods . . . provided . . . that the said Petitioners and Company be at the Charge of obtaining the Indian Title to said Lands."

Another industrious man was Palmer Goulding, of Worcester, who, on March 31, 1753, had petitioned for "a Gratuity for . . . finding out and communicating his Skill respecting the Cure of a Bite of a Rattle Snake." Now, two years later, he is back again, "praying the Government would allow him a

Præmium in Case he discover an infallible Cure for the Throat Distemper” (282). But this petition was dismissed (292).

What caused the greatest amount of work and worry for this General Court, though, was the fact that the hostile French and Indians were moving in too near to the English settlements, and in some sections the French were winning over even the friendly Indians to their side. This threat meant repairing old forts and building new ones on the frontiers, and raising more soldiers to man them and to prepare for an expedition against the enemy at Crown Point. In November, 1754, some Indians attacked a party of soldiers, killing and scalping one of them, and taking four prisoners (96). The St. François Indians were particularly hostile; so bounties were offered for their scalps and for prisoners—£100 for a scalp and £110 for a prisoner—but the money was not to be paid to any persons “unless they are sent out by the Commander in Chief of this Province, nor before satisfactory Evidence is given . . . that the Indian killed, or the Captive taken, was actually of that Tribe” (269).

The Governors of the various English Provinces in America, except Nova Scotia and Georgia, talked of forming a union for defense purposes, and to join in this expedition, and a new act had to be passed to “encourage and facilitate the Removal and Prevention of French Encroachments on his Majesty’s *North-American Territories*” (272). On November 19, 1754, in a message to the General Court, the Governor said,

I make no Doubt but that it will be tho’t reasonable that the Charge of defending his Majesty’s Interest should be born by the several Governments in some Proportion to their respective Abilities. I am endeavouring as well as I can to represent the Circumstances of this Province with regard to the Estates, as well as Numbers of the Inhabitants. There is in one Part of the Estate, viz. the Negro Slaves, which I am at a Loss how to come at the Knowledge of without your Assistance. If you will consider some Method, and do what is proper on your Part to carry it into Execution, in order to come at the exact Knowledge of all Negro Slaves, Male and Female, above sixteen Years of Age within this Government, as soon as may be, I imagine I shall be able to improve it to the Advantage of the Province.

In December, 1754, word came from Salem, “advising of a considerable Quantity of Provisions, laden on Board divers Vessels, in order to be carried to the *French*” (161), and a committee was ordered to investigate a report that a vessel in Boston Harbor was laden with provisions for Cape Breton; the vessel was to be stopped if the report proved to be true (228). An embargo was placed on shipping, and on February 17, 1755, it was extended for twenty-six days. If a vessel was discovered with a “Cargo consisting in any Part of Provisions or Warlike Stores,” it was to have its sails removed so that it could not leave port. In January, 1755, Agent Bollan was asked “to address his Majesty, that the French Ships of War, coming to any Parts of *North-America* may be

watched, and suitable Strength be sent against them for the Protection of the Colonies" (199).

While all these precautions were being taken and preparations were being made for the expedition against the enemy, Governor Shirley told the General Court that he had received complaints of quarrels between the inhabitants of Massachusetts and New York, around Albany. He said that "This is now become a very serious Affair between the two Governments, and happens at a very unfortunate Time for their mutual Welfare." He wanted "as perfect an Harmony as is possible . . . restored . . . so that we may unite against our common Enemy; and no Fault nor Blame be laid upon this Government in this Affair" (251).

Almost the last entry in this Journal has a list of the "Allowance" for the soldiers "after the Arrival at the Place of General Rendevous" for the Crown Point expedition. Each man was to be given, for each day, one pound each of bread, pork, and flour; one-half a pint of peas or beans; one pint of molasses; four ounces of butter; two ounces of ginger, and one gill of rum; and they were each allowed one-half pound of sugar a week. And "the Sum of *One Hundred and fifty Pounds*" was ordered to be "laid out by the Committee of War for Things necessary for the Sick and Wounded."

STEWART MITCHELL

February 24, 1956

JOURNAL

Of the Honourable House of

REPRESENTATIVES,

Of His Majesty's Province of the

Massachusetts-Bay

IN

NEW-ENGLAND.

Begun and held at *Boston*, in the County of *Suffolk*, on
Wednesday the Twenty-ninth of *May*, Annoque
Domini, 1754.



BOSTON: N. E.

Printed by Samuel Kneeland, Printer to the Honour-
able House of REPRESENTATIVES. 1754.



A

JOURNAL

Of the Honourable House of

REPRESENTATIVES.

At a Great and General Court or Assembly of
His Majesty's Province of the *Massachusetts-*
Bay in *New-England*, Begun and held at
Boston in the County of *Suffolk*, on Wednes-
day the Twenty-ninth Day of *May*, being the
last Wednesday of said Month, *Anno Domini*,
1754.

*****THE Honourable *Samuel Danforth*, *Samuel Watts*, *John Wheel-*
*****wright, and *Thomas Hutchinson*, Esqrs; came down from the
*****T***** Council Board, and acquainted the House, they were authorized
*****and appointed by His Excellency the Governour, to administer
*****the Oaths to the Members of the House respectively, required
by Act of Parliament; and that the Members were accordingly directed to
take the Oath of Abjuration, and subscribe the Declaration before them:
Which was done accordingly by all the Members present; and then the said
Gentlemen withdrew.

Joseph Richards, Esq; was desired to go to the Secretary's Office for the
Writs and Precepts for the Choice of Representatives, and bring the same in-
to the House. Which was done accordingly.

The Writs and Precepts for the Choice of Representatives being brought
into the House, upon Examination of them, it appeared that the following
Gentlemen were returned to serve for, and represent the several Towns within
this Province, viz.

For

For the County of SUFFOLK.

Boston. } The Hon. Sa. Welles Esq
 } The Hon. Ja. Allen, Esq;
 } The Hon. THOMAS
 } HUBBARD, Esq; Speaker.
 Mr. James Bowdoin.

Roxbury, Capt Joseph Williams
Dorchester, Robert Spur, Esq;
Milton, Samuel Miller, Esq;
Brain-tree, } Mr. Josiah Quincy,
 } Mr. Sam. Niles, Jun.
Weymouth, Capt. Thomas Pratt
Hingham, Mr. Jacob Cushing
Deatham, Joseph Richards, Esq;
Medfield, Mr. Simon Plimpton
Stoughton, John Shepard, Esq;
Needham, Mr. William Bowdoin
Medway, Mr. Jonathan Adams
Wrentham, -----
Chelsea, -----
Brookline, -----
Hull, -----
Bellingham, -----
Walpole, -----

For the County of ESSEX.

Salem & Danvers, } Henry Gibbs, Esq;
 } Dan. Epes, Jun. Esq;
Ipswich, John Choate, Esq;
Newbury, } Mr. Benj. Greenleaf
 } Jos. Gerrish, Jun. Esq;
Lynn, Capt. Benj. Newhall
Marblehead, John Tasker, Esq;
Andover, Major Joseph Fry
Beverly, Robert Hale, Esq;
Rowley, Mr. Humphry Hobson
Salisbury, Caleb Cushing, Esq;
Haverhill, The Hon. Richard
 Saltonstall, Esq;
Gloucester, Mr. William Stevens
Almsbury, Mr. Isaac Merrill
Bradford, Capt. Benj. Milliken
Boxford, Mr. Jonathan Foster
Topsfield, Mr. Elijah Porter
Wenham, Capt. John Dodge
Middleton, -----
Manchester, -----

For the County of MIDDLESEX

Cambridge, } William Brattle, Esq;
 } Mr. William Fletcher
Charlestown, Mr. James Russell
Watertown, Mr. John Hunt
Concord & Carlisle, Mr. Sim. Hunt
Woburn, Mr. Edward Walker
Reading, Ebenezer Nichols, Esq;
Newton, Henry Gibbs, Esq;
Sudbury, Capt. John Noyes
Marlborough, Mr. Samuel Witt
Groton, William Lawrence, Esq;
Billerica, Capt. Enoch Kidder
Framingham, Joseph Haven, Esq;
Chelmsford, Mr. Eph. Spaulding

Malden, Mr. Benjamin Hills
Weston, Mr. Elisha Jones
Waltham, Sam. Livermore, Esq;
Medford, Mr. Stephen Hall, Jun
Littleton, Nath. Russell, Esq;
Westford, Thomas Reed, Esq;
Lincoln, The Hon. Chambers
 Russell, Esq;

Lexington, -----
Townshend, -----
Sherburne, -----
Holliston, -----
Hopkinton, -----
Stow, -----
Draeut, -----
Dunstable, -----
Stoneham, -----
Wilmington, -----
Nottingham, -----
Bedford, -----
Tewkesbury, -----
Acton, -----

For the County of HAMPSHIRE.

Springfield, Josiah Dwight, Esq;
Northampton & Southamptn, } Joseph Haw-
 } ley, Esq;
Hadley and South-Hadley, } Capt. Moses
 } Marsh
Hatfield, Oliver Partridge, Esq;
Deerfield & Greenfield, } Elijah Williams,
 } Esq;
Westfield, Mr. Israel Ashley
Sunderland,)
Montague, & New-Salem,) Mr. Jos. Houlton
Brimfield, John Sherman, Esq;
Sheffield, David Ingersole, Esq;
Suffield, -----
Enfield, -----
Northfield, -----
Somers, -----
Blanford, -----
Winchester, -----
Pelham, -----
Greenwich, -----

For the County of WORCESTER

Worcester Joh. Chandler Jun Esq
Lancaster Wm. Richardson, Esq
Liecester & Spencer,) Thomas Steel, Esq;
Brookfield, William Ayers, Esq;
Rutland and Rutland-District,) John Mur-
 } ray, Esq;
Lunenburg, Mr John Heywood
Shrewsbury, Mr. Phin. Heywood
Oxford, Duncan Campbell Esq;
Mendon, Capt. Nathan Tyler
Sutton, Mr. Daniel Greenwood
Bolton, John Whitcomb, Esq;
Sturbridge, Moses Marcy, Esq;
Hardwick, Tim. Ruggles, Esq;
Southborough, -----

Harvard, -----
Uxbridge, -----
Woodstock, -----
Dudley, -----
Grafton, -----
Western, -----

For the County of PLYMOUTH.

Plymouth, Thomas Foster, Esq;
Scituate, Thomas Clap, Esq;
Duxbury, Gama. Bradford, Esq;
Marshfield, John Winslow, Esq;
Bridgewater, Capt. Josiah Edson
Pembroke, Mr. Israel Turner
Plympton, Mr. Isaac Bonny
Middleboro', Capt. Nath. Smith
Hanover, Dav. Stockbridge Esq;
Abington, Mr. Jacob Porter
Kingston, Mr. William Sever
Rochester, Mr. Elisha Barrow
Hallifax, -----
Wareham, -----

For County of BARNSTABLE.

Barnstable, James Otis, Esq;
Sandwich, Roland Cotton, Esq;
Eastham, -----
Harwich, -----
Yarmouth, -----
Falmouth, -----
Gatham, -----
Trure, -----

For the County of BRISTOL.

Taunton, Mr. Israel Tisdale
Rehoboth, Mr. Aaron Kingsley
Dartmouth, Capt. Nath. Sole
Dighton, Ezra Richmond, Esq;
Attleborough, Mr. Benjamin Day
Swansey, Mr. John Anthony
Freetown, Mr. John Winslow
Easton, Capt. John Phillips
Norton, Ephraim Leonard, Esq;
Raynham, -----
Berkley, -----

For the County of YORK.

York, Mr. John Bradbury
Kittery, Nath. Sparhawk, Esq;
Berwick Capt Ichabod Goodwin
Wells, John Storer, Esq;
Falmouth, Jedediah Prebble, Esq;
Scarborough, Edw. Milliken Esq;
North-Yarmouth, Jer. Powell Esq;
Biddeford, Mr. Samuel Hill
Brunswick, John Minot, Esq;
George-Town, -----
Arundel, -----

For the County of DUKES-COUNTY.

Edgartown, -----
Chilmark, -----
Tisbury, -----
 For County of NANTUCKET.
Sherburne, Abishai Folger, Esq;
 The

The House proceeded to bring in their Votes for a Speaker, which being examined, it appeared that the honourable THOMAS HUBBARD, Esq; was chosen. Speaker chosen.

Then the House proceeded to the Choice of a Clerk, and upon collecting and examining the Votes, it appeared that *Oliver Partridge*, Esq; was chosen. Clerk.

And the following Oath was administered to him by *Joseph Richards*, Esq; viz.

WHEREAS you *Oliver Partridge*, Esq; are chosen Clerk of the House of Representatives, you do Swear, that you will enter all the Votes and Orders thereof, and in all Things relating to your Office, you will act faithfully and impartially. Sworn.
So help you GOD.

Ordered, That *Capt. Tasker*, *Col. Otis*, *Col. Winslow*, *Col. Choate*, and *Col. Richards*, wait on His Excellency the Governour, and acquaint him the House have made Choice of the Honourable THOMAS HUBBARD, Esq; to be their Speaker, and are ready to present him to His Excellency for his Approbation. Committee to acquaint the Gov. of the Choice of a Speaker.

Who returned they had delivered the Message.

Ordered, That *Col. Brattle*, *Judge Russell*, *Col. Bradford*, *Col. Lawrence*, and *Mr. Allen*, attend on the Honourable THOMAS HUBBARD, Esq; up to his Excellency, for his Approbation of him as Speaker, agreeable to the Direction in the Royal Explanatory CHARTER. Committee to present him.

Which was done by them accordingly.

A Message from His Excellency the Governour by *Mr. Secretary Willard*, viz. Governour's Approbation.

Gentlemen of the House of Representatives,

YOU having signified to me by a Message your Choice of THOMAS HUBBARD, Esq; to be your Speaker, and presented him to me for my Approbation, pursuant to the Direction of the Royal Explanatory CHARTER: By Virtue of the Authority given me by the said Royal Explanatory CHARTER, I approve of him accordingly.

Council Chamber

W. SHIRLEY.

May 29th 1754.

Ordered, That *Mr. Allen*, *Major Stockbridge*, *Col. Brattle*, *Col. Otis*, and *Col. Clap*, be a Committee on the Part of the House, to carry up the Votes for Councillors or Assistants, and assist in counting and sorting them together with the Votes of the honourable Board, and report to the House the several Elections that shall be made. Committee to count the Votes for Councillors.

Ordered, That *Col. Choate*, *Capt. Smith*, and *Mr. Allen*, go up to the honourable Board to acquaint them, that the House are ready to proceed to the Choice of Councillors, pursuant to the Royal CHARTER, and propose to bring in their Votes for eighteen Councillors for the Colony of the *Massachusetts-Bay* at first; and in order that an exact and perfect Account be taken in numbring and sorting the Votes, the House move that the Committee sit at a separate Table from the Board, and that no Election be declared till it has passed the Examination of two of the Tellers at least, one of which to be of the honourable Board, and one of the House; provided that if more than eighteen have the major Part, the highest eighteen to be the Persons elected. Message to the Board.

Who returned they had delivered the Message.

Message from
the Board.

A Message from the honourable Board by *John Chandler*, Esq; to acquaint the House that they are ready to proceed to the Choice of Councillors or Assistants, in the Manner the House propose.

Ordered, That the Committee of the House for counting the Votes for Councillors carry up the Votes for eighteen Councillors or Assistants Inhabitants or Proprietors of Lands within the Territories formerly called the Colony of the *Massachusetts-Bay*.

Who returned that eighteen were chosen by a major Part of the Votes, viz.

Councillors
chosen.

John Osborne, Esq;
Francis Foxcroft, Esq;
Josiah Willard, Esq;
Jacob Wendell, Esq;
Benjamin Lynde, Esq;
Daniel Russell, Esq;
Samuel Danforth, Esq;
John Greenleaf, Esq;
Samuel Watts, Esq;

John Chandler, Esq;
Ezekiel Cbeever, Esq;
Andrew Oliver, Esq;
Joseph Pyncheon, Esq;
Thomas Hutchinson, Esq;
Stephen Sewall, Esq;
Isaac Royall, Esq;
Eleazer Porter, Esq;
John Erving, Esq;

The said Committee carried up the Votes for four Councillors or Assistants, Inhabitants or Proprietors of Lands within the Territory formerly called *New-Plymouth*, and reported that the following Gentlemen were chosen, viz.

John Cushing, Esq;
Sylvanus Bourne, Esq;

George Leonard, Esq;
John Otis, Esq;

The said Committee carried up the Votes for three Councillors or Assistants, Inhabitants or Proprietors of Land within the Territory formerly called the Province of *Maine*, and reported that the following Gentlemen were chosen, viz.

Sir *William Pepperrell*, Baronet. *John Hill*, Esq;
Jabez Fox, Esq;

The said Committee carried up the Votes for one Councillor or Assistant, an Inhabitant or Proprietor of Lands within the Territory lying between the River *Sagadahock* and *Nova-Scotia*, and reported that the following Gentleman was chosen, viz.

John Wheelwright, Esq;

The said Committee carried up the Votes for two Councillors or Assistants, Inhabitants or Proprietors of Lands within any Part of the Province, and reported that two were chosen by a major Part of the Votes, viz.

James Minot, Esq;

Benjamin Lincoln, Esq;

Then the House adjourned 'till to Morrow Morning ten o'Clock.

Jovis 30. Die Maij, A. D. 1754.

MR. Deputy Secretary brought down the List of the Names of the Gentlemen chosen Yesterday by both Houses to be Councillors or Assistants for the Year ensuing. List of Councillors bro't down.

Read and *Ordered*, That Col. *Lawrence*, Col. *Hale*, Col. *Brattle*, Col. *Bradford*, and Capt. *Chandler*, be a Committee to wait on His Excellency the Governour with the within List of Councillors, for his Approbation of the Persons therein named, agreeable to the Direction of the Royal CHARTER.

Which was done by them accordingly.

The Precepts returned from the several Towns thro' the Province were read. Precepts read.

A Petition of fundry Inhabitants of *Stoughton*, praying that *John Shepard*, Esq; returned Representative for said Town, might not be allowed a Seat in the House of Representatives, for the Reasons mentioned. Petition of fundry Inhabitants of *Stoughton*.

Read and after a large Debate, *Ordered*, That the Committee of both Houses to whom was committed the Petition of *Samuel Miller & John Shepard*, Esqrs; the last Year, be revived, and directed to report thereon as soon as may be.

John Shepard, Esq; desired Liberty to withdraw from the House until such Time as this Court had determined upon the Petition of *Samuel Miller* and *John Shepard*.

Which was allowed, and he withdrew accordingly.

A Petition of fundry Inhabitants of the Town of *Swansey*, setting forth that the Choice of Mr. *John Anthony* returned Representative for said Town was illegal, praying that the same may be set aside, for the Reasons mentioned. Petition of Inhabitants of *Swansey*.

Read, and after a Debate thereon, the Question was put, *Whether the Select-Men of the said Town should be notified to answer the said Petition?*

It pass'd in the Negative.

And *Ordered*, That the Petition be dismiss'd.

A Petition of fundry Inhabitants of the Town of *Easton*, representing that the Choice of Capt. *John Phillips*, returned Representative for said Town, was obtained illegally, praying that it may be set aside, for the Reasons mentioned. Petition of Inhabitants of *Easton*.

Read and *Ordered*, That the Petitioners serve the Select-Men of the Town of *Easton*, with a Copy of this Petition, that they shew Cause on Wednesday next, why the Prayer thereof should not be granted.

Post Meridiem.

A Petition of Mr. *Joseph Houlton* of the District of *New-Salem*, setting forth, that he was chosen agreeable to Law, to represent *Sunderland*, the Districts of *New-Salem* and *Montague*, and that the Select-Men of *Sunderland* refused to return him in Precept, and have returned Capt. *Jonathan Field*, contrary to Law &c. praying that he the Petitioner may have a Seat in the House. Petition of Mr. *Joseph Houlton*.

Read.

And

And after a large Debate thereon, the Question was put, *Whether it appeared that the Election of Capt. Jonathan Field, as returned by the Select-Men of Sunderland, was legal?* It pass'd in the Negative.

Then the Question was put, *Whether it appears that Mr. Joseph Houlton has a Right to a Seat in this House?*

Resolved in the Affirmative.

Governor's
Acceptance
of Councel-
lors.

Mr. Secretary brought down the List of Councillors or Assistants, chosen Yesterday, signed by His Excellency the Governour, in these Words, *viz.*

I Consent to the Election of the several Gentlemen before mentioned.

W. S H I R L E Y.

Petition of
Inhabitants of
Brookfield.

A Petition of sundry Inhabitants of *Brookfield*, complaining of the irregular Proceedings in the Choice of *William Ayres*, Esq; returned to represent said Town.

Read, and after a Debate had thereon, *Ordered*, That the said Petition be dismiss'd.

Message from
the Governor.

A Message from His Excellency the Governour by Mr. Secretary, *viz.* Mr. Speaker, His Excellency directs the Attendance of this honourable House in the Council Chamber.

Mr. Speaker and the House went up accordingly; when His Excellency was pleased to make a SPEECH to both Houses: of which Mr. Speaker obtained a Copy; and then with the House returned to their own Chamber.

Read and *Ordered*, That His Excellency's SPEECH be considered to Morrow Morning at ten o'Clock.

Mr. Secretary brought down the several Papers referred to in his Excellency's SPEECH.

On a Motion made and seconded, the Question was put, *Whether any particular Seat in the House shall be assigned to the Members of the Towns of Plymouth and Salem?*

It pass'd in the Negative.

Orders of the
House read
and voted.

The Orders of the House of Representatives the Year past, were read, and voted to be in Force the present Year (except the seventh) for the better Regulation and Government of the House.

Monitors.

Ordered, That Mr. *Witt*, Capt. *Reed*, Capt. *Newhall*, *Moses Marcy*, Esq; and Col. *Clap*, be Monitors of the House, to see the Orders carefully observed and put in Execution.

Committee to
wait on Dr.
Mayhew, &c.

Ordered, That the Members of the Town of *Boston*, together with Mr. *William Fletcher*, be directed to give the Thanks of this House to the Rev. Dr. *Jonathan Mayhew* of *Boston*, for his Sermon preached Yesterday before the General Court, being the Anniversary for the Election of Councillors, and desire a Copy thereof for the Press.

Order on Pe-
tition of *Tho.*
Fletcher.

Ordered, That the Petition of *Thomas Fletcher*, as entred the 7th of September 1753, be revived, and that the Committee appointed thereupon the 7th of December following, be directed forthwith to consider and report thereupon, and that Col. *Brattle* be of the Committee in the Room

Room of Col. *White* ; and that Execution upon the Judgment mentioned in the Petition be stayed, provided the Petitioner give Bond with sufficient Sureties, to pay with Interest from this Time to *Joshua Loring*, the Sum that now is or may finally be recovered against the Petitioner.

Sent up for Concurrence.

On a Motion made and seconded, *Ordered*, That the Representatives of the Town of *Boston*, acquaint the Reverend *Samuel Cooper*, that it is the Desire of the House that he would officiate for them as Chaplain. Committee to wait on Rev. Mr. Cooper.

Ordered, That the Commissary-General be directed to lay an Estimate of the Charges of the Year Currant, as also his Accompts, on the Table as soon as may be. Commissary directed.

Ordered, That the Province Treasurer be directed to lay his Accompts, also the present State of the Treasury, the Appropriations and Funds, on the Table as soon as may be. Treasurer directed.

Ordered, That Capt. *Tasler*, Col. *Storer*, Col. *Richards*, Mr. *Fletcher*, and Major *Stockbridge*, be a Committee to examine the County Treasurers Accompts thro' the Province, and report thereon. Committee on County Treasurers Accompts.

Ordered, That Col. *Saltonstall*, Judge *Russell*, Major *Hawley*, Col. *Brattle*, and Col. *Hale*, be a Committee to examine what Laws are expired or near expiring, and report thereon as soon as may be. Committee for Laws.

Then the House adjourn'd 'till to Morrow Morning nine o'Clock.

Veneris 31. Die Maij, A. D. 1754.

ON a Motion made and seconded, *Ordered*, That the Journal of the House of Representatives be printed ; and that Col. *Choate*, Capt. *Smith*, and Col. *Otis*, be a Committee to agree with a Printer on the most reasonable Terms for two Setts, one for each Member, and one for each Town in the Province. Order for printing the Journal of the House.

A Petition of the Select Men of the Town of *Norton*, praying that the Fine impos'd on said Town for not sending a Representative the last Year, may be remitted, for the Reasons mentioned. Petition of Select Men of Norton.

Read and *Ordered*, That the Sum of *twenty Pounds*, the Sum the said Town was fined the last Year, be paid out of the publick Treasury to the Select Men of said Town of *Norton*.

Sent up for Concurrence.

A Petition of *Isaac Doggett* of *Medford*, praying that the Court of Sessions for the County of *Middlesex* may be impowred to Licence him a Taverner in *Medford*, for the Reasons mentioned. Petition of Isaac Dagget.

Read and *Ordered*, That the Prayer of the Petition be so far granted, that the Justices of the Court of General Sessions of the Peace now sitting in the County of *Middlesex* be impowred, if they see fit, to grant a Licence to the Petitioner to keep a House of publick Entertainment in *Medford*, he first obtaining the Approbation of the Select-Men of said Town, the Time for granting Licences being elapsed notwithstanding.

Sent up for Concurrence.

C

Mr.

Agent Bollan's Letter. Mr. Speaker communicated a Letter from Mr. Agent *Bollan*, dated *Pall-Mall, March 11th 1754*. Which was read.

Petition of Joseph Johnson. A Petition of *Joseph Johnson* of *Boston*, Guardian to *Thomas Johnson*, praying he may have Liberty to sell one Quarter Part of a House in *Boston*, belonging to said Minor, for the Reasons mentioned; which Petition was entred the first of *April* last, and dismiss'd.

On a Motion made and seconded, *Ordered*, That the said Petition be revived, and committed to Mr. *Gibbs* of *Newton*, Col. *Bradford*, and Mr. *Bradbury*, to consider and report thereon.

Petition of the President &c. A Petition of the Reverend President and Fellows of *Harvard-College* in *Cambridge*, praying to be enabled to sell or exchange the College Farm in that Part of the Town of *Billerica* called *Skaufkin*, for the Reasons mentioned.

Read and committed to Col. *Hale*, Capt. *Marcy*, and Col. *Choate*, to consider and report thereon.

Accompt of Indian Trustees. The Trustees of the Indians at *Hassanamisco* alias *Grafton*, presented their Accompts; which were committed to Col. *Bradford*, Col. *Storer*, and Mr. *William Bowdoin*, to examine and report thereon.

Petition of Samuel Mirick. A Petition of *Samuel Mirick* and others, a Committee of that Part of the Town of *Springfield* called *Agawaum*, praying that that Part of said Town may be erected into a seperate Town or District, for the Reasons mentioned.

Read and *Ordered*, That the Petitioners serve the Clerks of the Town of *Springfield* and the second Parish in said Town, with Copies of this Petition, that the said Town and Parish shew Cause, if any they have, on the second Tuesday of the next Sitting of the Court, why the Prayer thereof should not be granted. Sent up for Concurrence.

Order on Petition of Sam. Miller &c. On a Motion made and seconded, *Ordered*, That the Vote passed Yesterday, reviving the Committee on the Petition of *Samuel Miller* and *John Shepard*, Esqrs; be reconsidered, and that the said Petitions, together with the whole Affair relating to the Guardians of the *Punkapaug* Indians, be heard publickly before the whole Court, on the second Wednesday of the next Sitting, and that all Parties concerned be duly notified thereof. Sent up for Concurrence.

Post Meridiem.

Report on Petition of Joseph Johnson. The Committee appointed on the Petition of *Joseph Johnson*, as entred this Day, reported.

Read and accepted, and *Ordered*, That the Prayer of the Petition be granted, and that the Petitioners be allowed to make Sale of the fourth Part of the small House in *Boston*, and the small Piece of Land in *Charlestown* mentioned in the Petition, for the most the same will fetch, and to execute a good Deed or Deeds of the same, to enable him the said *Joseph* to pay and discharge the Debts of the said *Jeffs Johnson* (the Father of the Minor) mentioned in the Petition, to whom the Premises ought to have been set off in the Division of said Estate, whereby the just Debts of the said *Jeffs Johnson* might be paid, the Petitioner giving Security

curity to the Judge of Probate for the County of *Suffolk* for the Time being, and that the Overplus, if any be, be applied towards the bringing up and educating of the said Minor.

Sent up for Concurrence.

A Petition of *John Storer*, Esq; and others, Inhabitants of the first Parish in *Wells*, representing that the said Parish by Mistake, neglected to chuse their Parish Officers in *March* last; praying they may be enabled to chuse their Parish Officers for the currant Year. Petition of *John Storer*, Esq;

Read and *Ordered*, That Col. *Storer* draw up a proper Vote to enable said Parish to chuse their Officers for the currant Year.

The Committee appointed to consider and examine the Accompts of the Guardians of the *Hassanamisco* Indians, reported that the said Account is right cast and well vouched, and that the same be allowed, and that the Ballance thereof, being *four Pounds two Shillings and one Penny three Farthings* Lawful Money, due to said Indians, the said Trustees be further accountable for. Report on Indian Guardians.

Read and accepted, and *Ordered*, That the said Guardians further account for said Sum accordingly, besides the principal Sum in their Hands.

Sent up for Concurrence.

On a Motion made and seconded, *Ordered*, That the Consideration of a Grant to His Excellency the Governour, be had on Wednesday next, at three o'Clock in the Afternoon. Order on Gov. Grant.

The Committee appointed on the Petition of the President and Fellows of *Harvard College*, as entred this Day, reported that the Prayer of the Petition be granted. Report on President's Petition.

Read and accepted, and *Ordered*, That the said Committee prepare and bring in a Bill to impower the said President and Fellows to sell or exchange the Lands mentioned in the Petition.

On a Motion made and seconded, *Ordered*, That Col. *Hale*, have Liberty to bring in a Bill to prevent the Mischief done by unruly Dogs in the Town of *Beverly*. Liberty for a Bill.

A Petition of the Select-Men of *Berkley*, representing that divers Disputes have arisen respecting the Oaths administered to several Constables in said Town &c. praying that they may be enabled to collect the several Rates committed to them. Petition of Select-Men of *Berkley*.

Read and committed to Col. *Richmond*, Mr. *Hunt* of *Watertown*, and Capt. *Marcy*, to consider and report thereon.

A Petition of *James Boyd* of *Woburn*, praying that the Court of Sessions in the County of *Middlesex*, may be impowred to Licence him to be an Innholder &c. Petition of *James Boyd*.

Read and *Ordered*, That the Prayer of the Petition be so far granted as that the Justices of the Court of General Sessions of the Peace for the County of *Middlesex* now sitting, be impowred, if they think fit, to grant a Licence to the Petitioner to keep a House of publick Entertainment in the Town of *Woburn*, he first obtaining the Approbation of the Select-Men of said Town, the Time for granting of Licences being elapsed notwithstanding.

Sent up for Concurrence.

Petition of
John Craige.

A Petition of *John Craige* and *Jemima* his Wife, the said *Jemima* being Administratrix on the Estate of her late Husband *Jonathan Fiske*, late of *Groton*, deceased, praying they may be impowred to make Sale of the Real Estate of said *Jonathan*, for the Reasons mentioned.

Read and committed to Capt. *Joseph Williams*, Col. *Lawrence*, and Mr. *Quincy*, to consider and report thereon.

Vote relating
to the Cod-
Fishery.

On a Motion made and seconded by divers Members, *Voted*, That the House will take under Consideration the State of the Cod-Fishery on Tuesday next three o'Clock Afternoon.

Petition of
Jer. Williams.

A Petition of *Jeremiah Williams* of *Roxbury*, praying that this Court would set aside an Award made in an Action of Trespas between *John Morey* and *John Dowse*, Tenant to the Petitioner, and enable the said *Dowse* to bring forward his Appeal in said Action &c. for the Reasons mentioned.

Read and *Ordered*, That the Petitioner serve the adverse Party *John Morey* with a Copy of this Petition, that he shew Cause, if any he hath, on the second Tuesday of the next Sitting of the Court, why the Prayer thereof should not be granted, and all Proceedings on the Affair, is stayed in the mean Time.

Voted, That *Timothy Ruggles*, Esq; have Liberty to be absent the Remainder of the present Sitting of the Court.

Petition of
William Upton.

A Petition of *William Upton* of *Lynn*, and *Sarah* his Wife, praying for Liberty to make Sale of two Acres of Cedar Swamp which *Benjamin Herrick*, late of *Lynn*, died seized of, for the Reasons mentioned.

Read and committed to Capt. *Joseph Williams*, Col. *Lawrence*, and Mr. *Quincy*, to consider and report thereon.

Then the House adjourned 'till to Morrow Morning nine o'Clock.

Sabbati 1. Die Junii, A. D. 1754.

Petition of
Isaac Nichols.

A Petition of *Isaac Nichols* and others, praying that the said *Nichols* who is Guardian to *Ruth & Elizabeth Wilkins*, Persons Non Compos, may be enabled to make Sale of certain Lands belonging to the said *Ruth* and *Elizabeth*, as mentioned in the Petition, for the Reasons mentioned.

Read and committed to Col. *Brattle*, Col. *Lawrence*, and Major *Hawley*, to consider and report thereon.

Petition of
Benj. Davis
bro't down.

John Erving, Esq; brought down the Petition of *Benjamin Davis*. Pass'd in Council, viz. In Council May 31st 1754. Read and *Ordered*, That this Petition be revived, and that *Benjamin Lynde* and *Eleazer Porter*, Esqrs; with such as the honourable House shall join, be a Committee to take the same under Consideration, and report what they judge proper for this Court to do thereon. Sent down for Concurrence.

Read and concur'd, and Capt. *Sherman*, Capt. *Marcy*, and Capt. *Livermore*, are joined in the Affair.

Mr. Secretary brought down a Letter directed to him, dated *Stockbridge May 22d 1754.*

Signed *Jonathan Edwards.*

Which was read.

It having been represented to this House, that certain Persons in and about Stockbridge are attempting illegally to obtain the Possession of certain unappropriated Lands of the Province near Stockbridge :

Ordered, That Col. Choate, Col. Brattle, Col. Otis, Major Hawley, and Mr. Jones, be a Committee to make Examination in said Affair, and report as soon as may be.

A Petition of the Reverend President and Fellows of *Harvard-College*, as entred the 19th of *April* last, and referred to this Session. Petition of the President &c.

Read and committed to the Committee on the Petition of the said President and Fellows, entred this Session.

John Chandler, Esq; brought down the Petition of *Samuel and Dorcas Smith*. Pass'd in Council, viz. In Council *May* 31st 1754. Read and *Ordered*, That the Petition be granted, and that the Petitioners, in their respective Capacities within mentioned, be and they hereby are allowed and impowred to make Sale of the Estate within mentioned, and to execute in due Form of Law, a Deed for Conveyance thereof, to such Person as shall give most for the same; and that the Petitioner *Dorcas* have the Improvement of one Third of the Produce of the Premisses which shall remain after just Expences of all Sorts allowed by the Judge of Probate of Wills &c. for the County of *Worcester* are deducted, for her Life; the Residue or two Thirds to the Children of the within-named Deceased, of Age, or their Assigns, and to the Guardian or Guardians, to pay what shall remain in his or their Hands (upon an Adjustment of his or their Account pursuant to Law) unto the said Minors as they arrive of Age, or shall be married, which shall first happen; provided before such Sale be made the Petitioners observe the Directions of the Province Law pass'd in the sixth Year of his late Majesty King *George* the first relating to Executors and Administrators Sale of Real Estates; and that the said *Dorcas* give sufficient Security to the said Judge, that the principal Sum allowed her shall at her Death revert to the right Heirs of the said Deceased; also that the Guardian or Guardians of said Children give the like Security to the aforesaid Judge for the faithful discharge of his or their Trust; and that *Thomas Steel*, Esq; see Justice done the Minors in the Sale aforesaid. Petition of Samuel and Dorcas Smith bro't down.

Sent down for Concurrence.

Read and concur'd.

Col. *Storer*, according to Order, reported on the Petition of the Inhabitants of the first Parish in the Town of *Wells*. Report on the Petition of Inhabitants of Wells.

Read and accepted, and *Ordered*, That the Prayer of the Petition be granted, and that the said Parish-Committee for the last Year are hereby directed and impowred to issue their Warrant to some Inhabitant of said Parish, requiring them to warn and give Notice to the Inhabitants of said Parish, qualified by Law to vote in Parish Affairs, to assemble together at such Time and Place in said Parish as by said Warrant shall be appointed, to make Choice of such Officers for said Parish as shall be necessary, and according to Law ought to be chosen yearly, for the transacting the Affairs of said Parish; and the said Inhabitants so met are hereby impowred to make Choice of such Officers; and such Officers so chosen, having first taken the Oaths enjoined by Law, shall have the like Power in their respective Offices as by Law they would have had on their being chosen according to the Directions of the Law in the Month of *March*, and qualified as aforesaid.

Sent up for Concurrence.

D

The

Report on
Governor's
Speech rela-
ting to levying
Taxes.

The Committee appointed to consider that Part of His Excellency's SPEECH relating to the levying Taxes in the most just and equitable Manner &c. Reported that they apprehend it just and reasonable that an Excise should be paid on all spirituous Liquors expended within this Province; and therefore it is necessary that some suitable Clause be bro't into the next Excise Act to enable the Farmer thereof to demand an Account of all and every Person or Persons whomsoever within this Government, of all the Wine Rum Brandy or other distilled Spirits expended by them (on Oath if required) and that all such Persons be obliged to pay such an Excise therefor as shall be set in said Act (except such Part thereof as shall be purchased of those Persons who by said Act shall be obliged to pay the Excise for the same) and whoever shall refuse to give in such an Account as aforesaid shall forfeit and pay to the Farmer of said Excise the Sum of *ten Pounds*, saving His Excellency the Governour, the Lieut. Governour, the President, Professors Fellows and Students of *Harvard College*, together with the settled Ministers of the Province, who shall not be held to render in an Account as aforesaid.

Read and accepted, and *Ordered*, That the Substance of said Report be drawn into the next Excise Bill, and the said Committee have Liberty to sit again.

Ordered, That the said Committee prepare the Draft of an Excise Bill, and report as soon as may be.

Report on
Worcester
County Treas-
urer's Ac-
compts.

The Committee appointed to examine the Accompts of the County Treasurers thro' the Province, reported on the Accompt of the Treasurer for the County of *Worcester*, That the said Accompts are right cast and well vouched, and it appears that said Treasurer is accountable for the following Sums, viz. *Twenty one Pounds nineteen Shillings & four Pence*, new Tenor Bills of Credit due from the Town of *Woodstock* on the Taxes granted in the Years 1748 & 1749; and *Nine Pounds thirteen Shillings and five Pence* for the Year 1750; *Six Pounds thirteen Shillings and five Pence* for the Year 1752; *Seventy Pounds eighteen Shillings & two Pence half Penny* for the Year 1753; and *Three Hundred and sixteen Pounds ten Shillings & five Pence half Penny* for the Year 1754; as also *Nine Pounds twelve Shillings and six Pence*, a Ballance paid by *Daniel Heywood*, the former Treasurer, who is hereby discharged.

Read and accepted, and *Ordered*, That the said Accompt be allowed, and that the Treasurer of the County of *Worcester* be further accountable for said Sums.

Sent up for Concurrence.

Ordered, That Capt. *Candler*, Capt. *Milliken*, and Capt. *Goodwin*, be a Committee to prepare a Bill for the regulating the Assize of Clapboards.

Report on
Petition of
John Craige.

The Committee appointed on the Petition of *John Craige*, and *Jemima* his Wife, as entred Yesterday.

Read and accepted, and *Ordered*, That the Prayer of the Petition be granted, and that the Petitioners in Capacity of Administrators on the Estate of *Jonathan Fiske*, late of *Groton*, deceased, be and hereby are impowred to make Sale of all the said Deceased's Real Estate (having due Regard to the Law of this Province respecting the Sale of Intestate Estates) and execute in due Form of Law a good and sufficient Deed or Deeds thereof, to such Person or Persons as shall give most for the same, they giving sufficient Caution to the Judge of Probate for the County of *Middlesex*, to account for the Produce of the Premises, and to dispose of the same pursuant to Law.

Sent up for Concurrence.

The

The Committee on the Petition of *Isaac Nichols* and others, as entred this Day, reported that no Evidence at present could appear to support the same : Therefore, Report on
Petition of
Isaac Nichols.

Ordered, That the Petition be referred to the next Sitting for further Consideration.

Isaac Royall, Esq; brought down the Petition of *Samuel Miller* and *John Shepard*, Esqrs; with the Papers accompanying the same, together with the Vote of this House passed Yesterday. Pa's'd in Council, *viz.* and *John Shepard*, Esqrs; In Council *June* 1st 1754. Read and non-concur'd, with a further Vote of Council thereon, *viz.* *June* 1st 1754. Read again, and *Ordered*, That *Benjamin Lincoln*, Esq; and others, the Committee formerly appointed by this Court, together with *Joseph Pynchon*, Esq; and such as may be added by the honourable House, be a Committee to repair to the Lands mentioned in the Complaint, as soon as may be, hear the Parties, examine such Witnesses as may be produced by them, reconsider the whole Affair, and report their Opinion thereon; at the next Sitting of this Court, and the Committee have Power to send for such Persons and Papers, as they may judge proper, to give Light in the Affair ; the whole Charge to be born by the Petitioners.

Sent down for Concurrence.

Read and concur'd, and Col. *Brattle*, and Col. *Bradford*, are joined in the Affair.

Then the House adjourn'd till Monday next Four o'Clock Afternoon.





VOTES

Of the House of Representatives.

Lunæ 3. Die Junii, A. D. 1754.

IN a Motion made and seconded, *Ordered*, That Capt. *Chandler* be directed to bring in a proper Vote to impower some Person to call the first Meeting for the Choice of Town Officers in the Town of *Peterham*, in the County of *Worcester*.
Capt. Chandler directed to prepare a Vote.

The Committee appointed on the Petition of the Select-Men of the Town of *Berkley*, as entred the 31st of *May* last, reported.
 Read and accepted, and *Ordered*, That *Ebenezer French*, and *Benaijab Babbit*, the Constables in said Petition, be and hereby are impowred to collect the several Sums committed to them to collect, for the Year 1752 and 1753, and to compleat the same in as full and ample a Manner as if they had been sworn in due Form according to Law ; provided the said *Ebenezer French* and *Benaijab Babbit*, do now take the Oaths by Law required for Constables to take, and shall also be accountable to the respective Treasurers for the Money committed to them to collect.
Report on Petition of Select-Men of Berkley.
 Sent up for Concurrence.

Ordered, That the Committee appointed to bring in an Excise Bill, be directed forthwith to prepare the Draft of a Bill for the Supply of the Treasury.
Committee to bring in a Bill.

The Committee appointed on the Petition of *William* and *Sarah Upton*, as entred the 31st of *May* last, reported.
 Read and accepted, and *Ordered*, That the Prayer of the Petition be granted, and that the said Petitioners *William & Sarah*, in the Capacity of Administrators to the Estate of *Benjamin Herrick*, late of *Lynn*, deceas'd, be and hereby are impowred to make and execute a good and sufficient Deed of the two Acres of Cedar-Swamp mentioned in the Petition, to *Samuel Herrick*, his Heirs and Assigns, pursuant to the Covenant and Agreement of the said *Benjamin*, deceas'd, and take up said Covenant of Security accordingly ; provided they give Security to account for the Proceeds coming thereby pursuant to Law.
Report on Petition of William and Sarah Upton

Sent up for Concurrence.

E

Whereas

Whereas great Part of the Town of Lincoln was a Precinct before it was incorporated into a Town, and that the Officers of the said Precinct had not settled their Accounts with said Precinct; and that the said Precinct expired when said Town was incorporated, so that they are not now able to settle with said Officers:

Therefore,

Voted, That the late Committee and other late Officers of said Precinct, be directed and impowered to settle the Affairs of said Precinct in the same Manner as they might have done, had not the said Precinct been erected into a new Town.

Sent up for Concurrence.

John Murray, Esq; impowered to call a Meeting.

Voted, That *John Murray, Esq;* be and hereby is impowred to issue a Warrant to some principal Inhabitant in the Town of *Petersham*, in the County of *Worcester*, requiring him in His Majesty's Name to warn and notify the said Inhabitants qualified to vote in Town Affairs, that they meet together at such Time and Place in said Town as by said Warrant shall be appointed, to chuse such Officers as Towns chuse in the Month of *March* annually; and the said Officers shall be enjoined to take such Oaths as are now required by Law to be taken by Town Officers, as also to transact such other Matters and Things relating to High-Ways, &c. as may be expressed in said Warrant.

Sent up for Concurrence.

On a Motion made and seconded by divers Members, *Voted,* That no Affairs of a private Nature shall be laid before this House for their Consideration this Sitting, without special Order of the House therefor.

Then the House adjourned 'till to Morrow Morning nine o'Clock.

Martis 4. Die Junij A. D. 1754.

Order relating to a Chaplain.

IT having been represented to the House that the Reverend Mr. Cooper is unable to officiate as Chaplain, by Reason of his ill State of Health:

Therefore,

Ordered, That the Representatives of the Town of *Boston* acquaint the Rev. Mr. *Andrew Eliot* of *Boston*, that it is the Desire of this House that he would officiate for them as Chaplain the present Year.

Samuel Hill, Esq; returned Representative.

Mr. *Samuel Hill*, returned Representative for the Town of *Biddeford*, appeared in the House:

Ordered, That Capt. *Milliken* go up with him to the Gentlemen appointed by Dedimus to administer the Oaths appointed to be taken instead of the Oaths of Allegiance and Supremacy, &c. and see that the proper Oaths be administered to him.

Who returned he had attended Mr. *Hill* as directed, and that he had taken the Oaths, &c.

Committee for Bill,

Ordered, That the Committee directed to bring in an Excise Bill, &c. be directed to prepare and report the Draft of an Impost Bill as soon as may be, and that Major *Hawley* and Mr. *Foster*, be added to said Committee.

Petition of Ichabod Ammidown, &c.

A Petition of *Ichabod Ammidown* and *Mary Rawson*, Executors of the Testament of *Samuel Morfe*, late of *Mendon*, deceased, praying that they may make Sale of a certain Dwelling House in *Mendon*, that said *Samuel Morfe* died seized of, for the Reasons mentioned.

Ordered, That the House will consider said Petition, (the Vote of Yesterday notwithstanding) and that the said Petition be committed to Col. *Clap*, Capt. *Marcy*, and Mr. *Quincy*, to consider and report thereon.

A Petition of *Ichabod Goodwin* and *Hannah Scammon*, Administrators on the Estate of *James Scammon* of *Beddesford*, in the County of *York*, deceas'd, praying for Liberty and Authority to convey certain Lands to *Joseph Hill*, in order to compleat certain Agreements made between the said *James*, deceas'd, and the said *Joseph Hill*. Petition of *Ichabod Goodwin*, &c.

Read and committed to Capt. *Milliken*, Capt. *Smith*, and Capt. *Richardson*, to consider and report thereon, and that the House will consider this Petition, the Vote of Yesterday notwithstanding.

Ordered, That Capt. *Richardson* be directed to prepare and bring in a Bill to encourage the Killing of Bears. Capt. *Richardson* on a Bill.

Abishai Folger, Esq; returned Representative for the Town of *Sherburn* on *Nantucket*, appeared in the House : Abishai Folger returned Representative.

Ordered, That *Henry Gibbs*, Esq; of *Salem*, attend him to the Gentlemen appointed by *Dedimus* to administer the Oaths appointed to be taken instead of the Oaths of Allegiance and Supremacy, &c. and see that the proper Oaths be administered to him.

Who returned he had attended the said *Abishai Folger*, Esq; as directed, and that he had taken the Oaths, &c.

Ordered, That Col. *Saltonstall*, Col. *Storer*, and Mr. *Gibbs* of *Newton*, be a Committee to prepare and bring in a Bill in Addition to *An Act Intituled An Act for providing of Pounds, and to prevent Rescous and Pound Breach*. Order on Bill.

A Bill Intituled *An Act for granting to His Majesty several Rates and Duties of Impost and Tunnage of Shipping*. Bill read.

Ordered, That this Bill have a second Reading directly after the Excise Bill have a first Reading.

Post Meridiem.

The House voted that they would now consider the Petition of *Joshua Clap* and *Henry Smith*, Agents of the Town of *Walpole*, praying that the Fine imposed on said Town the last Year for not sending a Representative, may be remitted, for the Reasons mentioned. Vote on Petition of *Joshua Clap*, &c.

Read, and the Question was put, *Whether the said Petition should be committed?* It pass'd in the Negative, and

Ordered, That the Petition be dismiss'd.

The Committee appointed this Day on the Petition of *Ichabod Ammidown*, and *Mary Rawson*, Executors to the Testament of *Samuel Morfe*, late of *Mendon*, deceas'd, reported. Report on Petition of *Ichabod Ammidown*, &c.

Read and accepted, and *Ordered*, That the Prayer of the Petition be granted, and that the Petitioners in their said Capacity be impowred to make Sale of the House mentioned in the Petition, for the most the same will fetch, and make ample Conveyance thereof in the Law, they giving sufficient Caution to the Judge of Probate for the County of *Worcester*, to apply the Money arising by the Sale thereof, for the Use and Benefit of the Persons interested in said House, according to the last Will of the said *Samuel Morfe*, deceas'd. Sent up for Concurrence.

Bill read.

A Bill Intituled *An Act for granting unto His Majesty an Excise upon Wines and Spirits distill'd, sold by Retail, and upon Limes, Lemmons and Oranges.*

Read a first Time, and

Ordered, That the Bill have a second Reading To-Morrow Morning ten o'Clock.

Then the House adjourn'd 'till to Morrow Morning ten o'Clock.

Mercurij 5. Die Junij, A. D. 1754.

Joseph Haven
Esq; returned
Representa-
tive.

Joseph Haven, Esq; returned Representative for the Town of *Framingham*, appeared in the House :

Ordered, That Capt. *Marcy* attend him to the Gentlemen appointed by *Dedimus* to administer the Oaths, &c. and see that the proper Oaths be administered to him.

Who returned he had attended the said *Joseph Haven*, Esq; as directed, and that he had taken the Oaths, &c.

Dr. Sewall
desired to offi-
ciate as Chap-
lain.

The Members from the Town of *Boston* communicated a Letter from the Rev. Mr. *Eliot*, representing that he was unable to officiate as Chaplain for the House :

Therefore,

Ordered, That the said Members acquaint the Rev. *Dr. Sewall*, that it is the Desire of the House that he would officiate for them as Chaplain the present Year.

Bill read.

A Bill Intituled *An Act for granting an Excise upon Wines and Spirits distill'd, sold by Retail, and upon Limes Lemmons and Oranges.*

Read a second Time.

Post Meridiem.

Bill read.

A Bill Intituled *An Act to prevent Mischief being done by unruly Dogs in the Town of Beverly.*

Read a first, second and third Time, and pass'd to be engross'd.

Resolve on
Petition of
Inhabitants of
Easton.

The House took under Consideration the Petition of *Eliphalet Leonard*, and others, Inhabitants of *Easton*, complaining of the Illegality of the Proceedings of the Select-Men of said Town, at their Meeting appointed for the Choice of a Representative in *May* last ; the Complainants, and the Select-Men, having been ordered to attend this House, were admitted on the Floor, and particularly examined respecting their Proceedings in said Meeting, and then withdrew.

After due Consideration, the Question was put, *Whether Capt. John Phillips, returned as Representative for said Town, hath a Right to a Seat in this House ?*

It pass'd in the Negative unanimously.

Precept issued.

Ordered, That a Precept issue out for the Choice of a Person to represent the said Town the ensuing Year, the Return to be made on the first Day of the next Sitting of this Court.

Then the House adjourn'd 'till to Morrow Morning nine o'Clock

Jovis 6. Die Junij A. D. 1754.

A N engros'd Bill Intitled *An Act to prevent Mischief being done by unruly Dogs in the Town of Beverly.* Bill enacted.
Read and Resolved, That the Bill pass to be enacted.

A Bill Intitled *An Act for inpowering the Corporation of Harvard-College in certain Cases to alienate Lands, or other Real Estate, and to make Sale of a Farm in Billerica.* Bill engros'd. [inpowering]

Read a first, second and third Time, and pass'd to be engros'd.
Sent up for Concurrence.

Ordered, That Capt. *Tasler*, Col. *Hale*, and Col. *Choate*, be a Committee to take under Consideration the Supplies necessary to be made for the 300 Men ordered this Sessions, as an Augmentation to the Forces going Eastward, and report as soon as may be. Committee on Supply.

A Petition of *John Caldwell*, of *Rutland* District, in the Name and Behalf of said District, praying for a Tax for five Years to come on all the Lands in said District, of *three Farthings* per Acre for every standard Acre, for the Reasons mentioned. Petition of *John Caldwell, &c.*

Read and Ordered, That the Petitioner serve the Proprietors of said District, by inserting the Substance of this Petition in one or more of the publick News Papers, three Weeks successively, so that they shew Cause (if any they have) on the second Friday of the next Sitting of this Court, why the Prayer thereof should not be granted.

Sent up for Concurrence.

George Leonard, Esq; brought down the Report of a Committee of additional Instructions to the Commissioners appointed by this Government to meet at the Interview at *Albany* this Month.

Report on
Committee
for Instructions

Signed *Benjamin Lynde*, per Order.

[*Lynde*]

In Council, *June 5. 1754.*

Read, and sent down.

Read and accepted, and Ordered, That the said Instructions be given to said Commissions, in Addition to those already given them.

Sent up for Concurrence.

A Petition of *Elijah Cushing*, Agent for the second Precinct in *Pembroke*, in the County of *Plymouth*, entred the 10th of *April* last, and pass'd upon in Council, viz. In Council *April* 10th 1754. Read and Ordered, That the Prayer of the Petition be granted, and that the Petitioners, with their Estates comprehended within the Bounds of said Precinct, be and hereby are to all Intents and Purposes annexed to and made Part of the Town of *Pembroke*. Petition of *Elijah Cushing, &c.*

Sent down for Concurrence.

Which was then read and referred to this Time.

Read again, and Ordered, That the said Petition be committed to Col. *Brattle*, Col. *Bradford*, and Mr. *Allen*, to consider and report thereon.

A Petition of *Samuel Green*, and others, of the South Parish in *Malden*, praying that their Petition preferred to the General Court the last Year, may be revived, and the Prayer thereof granted, which was read, and the Papers accompanying the same, and Samuel Green, &c.

Ordered, That Col. *Brattle*, *Nathaniel Russell*, and *James Allen*, Esqrs; with such as the honourable Board shall join, be a Committee to repair to *Malden*, hear the Parties, view the Scituation of the Petitioners, and

F

report

report what they judge proper for this Court to do thereon ; the Charge of said Committee to be born as this Court shall hereafter order.

Sent up for Concurrence.

Post Meridiem.

Report on
Petition of
Hannah Scam-
mon, &c.

The Committee appointed on the Petition of *Hannah Scammon* and *Ichabod Goodwin*, as entred the 4th of *June* Currant, reported.

Read and accepted, and *Voted*, That the Petitioners, in the Capacity of Administrators on the Estate of *James Scammon*, late of *Beddeford*, deceas'd, be authorized and impowred to make and execute a good and ample Deed of Sale unto *Joseph Hill*, of the Land and Premisses lying in *Scarborough*, mentioned in the Petition. Sent up for Concurrence.

Petition of
John Goldsbury
&c.

A Petition of *John Goldsbury*, and *Simon Slocumb*, a Committee of the second Precinct in the Town of *Wrentham*, praying that the said second Precinct may be erected into a District &c. for the Reasons mentioned.

Read and *Ordered*, That the Petitioners serve the Clerk of the Town of *Wrentham*, with a Copy of this Petition, that they shew Cause (if any they have) on the second Thursday of the next Sitting of the Court, why the Prayer thereof should not be granted.

Sent up for Concurrence.

Bill read.

A Bill Intituled *An Act for granting to His Majesty several Rates and Duties of Impost and Tunnage of Shipping.*

Read a second Time, and *Ordered*, That the Bill have a third Reading To-Morrow Morning ten o'Clock.

Ordered, That the Bill for farming the Excise on Spirituous Liquors, &c. have a third Reading to Morrow-Morning nine o'Clock.

Grant to the
Governour.

The House entred into the Consideration of a Grant to His Excellency the Governour, and after a Debate had thereon,

Voted, That the Sum of *thirteen Hundred Pounds* be allowed and paid out of the publick Treasury to His Excellency the Governour, for his past Services, and further to enable him to manage the Affairs of the Government ; and that *Col. Choate*, Judge *Russell*, and *Col. Saltonstall*, bring in a Bill accordingly.

Who reported they had prepared a Bill according to Order, which was read and laid on the Table.

Read a first, second and third Time, and pass'd to be engross'd.

Sent up for Concurrence.

Go. Dummer's
Treaty to be
re-printed.

Ordered, That Mr. Speaker, *Col. Lawrence*, and Mr. *Sever*, be a Committee to agree with some Printer to re-print Lieutenant Governour *Dummer's* Treaty with the Eastern Indians.

Report on
necessary Sup-
plies.

The Committee to whom was referred the Consideration of the Supplies necessary to be made for the three Hundred Men ordered this Sessions as an Augmentation to the Forces destined Eastward, reported that the Sum of *twenty-one Hundred & fourteen Pounds* will be sufficient for that Purpose, and that the Treasurer be directed to borrow said Sum.

Read and accepted, and *Ordered*, That the said Committee prepare and bring in a Bill for that Purpose.

Report on
Petition of
Elijah Cushing.

The Committee appointed on the Petition of *Elijah Cushing*, Agent for the second Precinct in *Pembroke*, reported.

Read

Read and accepted, and *Ordered*, That the Prayer of the Petition be granted, and that the Petitioners, with their Estates comprehended within the Bounds of said Precinct, be to all Intents and Purposes annexed to and made Part of the Town of *Pembroke*; that to this Time they pay their respective Proportions to all Taxes already made and granted, and that the several Towns to which said Petitioners belonged, be abated in the Province Tax in Proportion to what the Petitioners with their Estates paid in the last Province Tax, and that the same be laid on the Town of *Pembroke*.
Sent up for Concurrence.

Then the House adjourned 'till to Morrow Morning nine o'Clock.

Ueneris 7. Die Junij A. D. 1754.

AN engross'd Bill Intitl'd *An Act for empowering the Corporation of Harvard College in certain Cases to alienate Lands or other Real Estates, and to make Sale of a Farm in Billerica.* Bill enacted.
Read and *Resolved*, That the Bill pass to be enacted.

James Minot, Esq; brought down a Bill Intitl'd *An Act to enable John Bill bro't Payne of Boston, Gentleman, to attest certain Records in Probate Office of the County of Suffolk.* down.

Read a first, second and third Time, and pass'd to be engross'd.

John Hill, Esq; brought down the following Vote. Pass'd in Council, *viz.* In Council, June 6th 1754. Vote of Council bro't down.

Whereas by Law the Court of General Sessions of the Peace and Inferiour Court of Common Pleas for the County of Suffolk, ought to be held on the first Tuesday of July next, at which Time it is probable that several Justices of said Courts will be absent in the Service of the Province :

It is therefore,

Ordered, That the said Courts of General Sessions of the Peace and Inferiour Court of Common Pleas, be and hereby are adjourned to the fourth Tuesday of *July* next; and the said Courts shall be then held accordingly; and all Writs, Pleas, Warrants, Recognizances, Processess, Matters and Things whatsoever, are to be heard and adjudged and determined at that Time, as fully to all Intents and Purposes as if the said Courts were held on the first Tuesday of *July* as usual heretofore.

Sent down for Concurrence. Read and concur'd.

Ordered, That *Mr. James Bowdoin*, Judge *Russell*, *Mr. Allen*, Capt. *Marcy*, and *Mr. Powell*, be a Committee to carry up to the honourable Board a Bill (pass'd to be engross'd) Intitl'd *An Act for granting the Sum of thirteen Hundred Pounds for the Support of His Majesty's Governour.* Committee on Bill.

The Committee appointed to make Enquiry respecting the illegal Purchases that are made or making from the Indians of the unappropriated Lands of the Province near *Stockbridge*, reported. Committee for Enquiry.

Read and accepted, and thereupon *Voted*, That,

Whereas Information hath been give to this House, that certain Persons belonging to the Towns of Stockbridge, Sheffield, Springfield and Westfield, have in a clandestine and illegal Manner purchased of one or more of the Stockbridge Indians about nine Thousand Acres of the unappropriated Lands of the Province, paid a considerable Sum of Money therefor, plann'd, allotted and drawn the same : That

That the Commissioners appointed to appear at the interview at Albany, be directed to make strict Enquiry into said Facts, with full Power to send for Persons and Papers as they shall judge necessary, and make report to this Court.
Sent up for Concurrence.

Bill engross'd. A Bill Intitl'd *An Act for improving the Province Treasurer to borrow the Sum of twenty-one Hundred and fourteen Pounds, and applying the same towards the Expense of sending them His Majesty's Letters.*

Read a first, second and third Time, and pass'd to be engross'd.
Sent up for Concurrence.

Bill read.

A Bill Intitl'd *An Act for rectifying and continuing Justice Laws of this Province that are expired or near expiring.*

Read a first and second Time.

Pass Meridians.

Bill engross'd. A Bill Intitl'd *An Act for granting an Excise upon Wines and Spirits distill'd, sold by Retail, and upon Limes Lemons and Oranges.*

Read a third Time, and pass'd to be engross'd.

Sent up for Concurrence by Col. Hulse, Mr. Allen, Col. Christie, Col. Storer, and Judge Russell.

A Bill Intitl'd *An Act for granting to His Majesty several Rates and Duties of Import and Tonnage of Shipping.*

Read a third Time, and pass'd to be engross'd.

Sent up for Concurrence by Col. Sutherland, Mr. James Brantley, Col. Otis, Col. Lawrence, and Col. Dringie.

Aburton] Petition of *John Erving*, Esq. brought down the Petition of *John Aburton*. Pass'd in Council, viz. In Council June 7. 1754. Read again, together with the Answer of *Stephen David*, and *Ordered*, That the Petition be dismiss'd.
Sent down for Concurrence. Read and concurr'd.

A Bill Intitl'd *An Act for granting an Excise upon Tea, Coffee, East-India Ware, called China Ware.*
Read a first and second Time.

An engross'd Bill Intitl'd *An Act for granting the Sum of thirteen Hundred Pounds for the Support of His Majesty's Government.*

Read and *Resolved*, That the Bill pass to be enacted.

Report on His Excellency's Speech. The Committee to whom was referred that Part of His Excellency's Speech relating to Fire Arms, and a Gunner for *Castle William*, reported in Part.

And after a Debate had thereon, the Question was put, *Whether the House would accept of said Report?* It pass'd in the Negative.

Then the House adjourn'd till to Morrow Morning nine o'Clock

Sabbati 8. Die Junij A. D. 1754.

Henry Gibbs, Esq; was chosen Clerk of the House pro Tempore, and sworn to the faithful Discharge of that Trust.

The Petition of *John Hill*, and others, a Committee in Behalf of a new Township lying on the Back of *North-Yarmouth*, praying further Time for the Settlement of said Town. Petition of *John Hill*, &c.

Read and referred to the next Sitting of this Court for further Consideration.

The Committee to whom was referred the several County Treasurers Accompts, reported on the County Treasurer's Account for the County of *Essex*. Report on Treasurers Accompts.

Read and accepted, and Ordered, That the Ballance thereof being *two Hundred and eighteen Pounds one Shilling and five Pence three Farthings*, the said Treasurer is further accountable to the said County for.

Sent up for Concurrence.

Isaac Royall, Esq; brought down the Petition of *Joseph Owen*, as entered the 10th of *April* last, and refer'd, together with the Answer of *John Borland*, with a Vote of Council thereon, viz. In Council, *June 6. 1754* Petition of *Joseph Owen* bro't down.

Read and Ordered, That the Petition be dismiss'd.

Sent down for Concurrence.

Read and concur'd.

An engross'd Bill Intituled *An Act to empower the Province Treasurer to borrow the Sum of twenty-one Hundred and fourteen Pounds, and applying the same towards the Expence of sending three Hundred Men Eastward.* Bill engross'd.

Read and Resolved, That the Bill pass to be enacted.

The Committee to whom was referred the several County Treasurers Accompts, reported on the County Treasurer's Account for the County of *Barnstable*. Report on County Treasurers Account

Read and accepted, and Ordered, That the Account be allowed, and that the Ballance thereof being *five Pounds sixteen Shillings and ten Pence three Farthings*, the said Treasurer is further accountable to the said County for.

Sent up for Concurrence.

On a Motion made and seconded, Ordered, That the Committee on the Tax Bill bring in a Clause in said Bill for laying a double Province Tax on all Persons living Batchelors between twenty-eight and fifty Years of Age. Order on Bill.

Voted, That the Gentlemen appointed by this Court Commissioners to treat with the Commissioners of the Government of *New-York*, respecting the Boundary Lines of these Governments, be directed to inquire into any Indian Claim or Claims to any Lands that lie West of *Connecticut* River within this Province, and endeavour to quiet them as to said Claims, and to report to this Court at their next Sessions, what they think proper to be done respecting the Premises. Commissioners directed.

Sent up for Concurrence.

A Bill Intituled *An Act for granting an Excise upon Tea, Coffee, and East-India Ware, called China Ware.*

Read a third Time, and pass'd to be engross'd.

Sent up for Concurrence.

Vote on His
Excellency's
Speech.

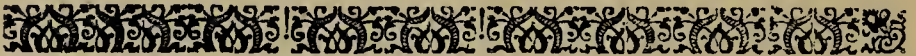
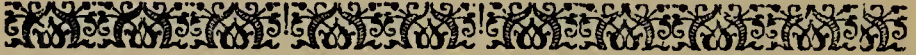
On a Motion made and seconded, That the House would re-consider their Vote of Yesterday on the Report of the Committee appointed on that Part of His Excellency's Speech relating to Fire Arms, and a Gunner for *Castle William* :

Voted, That the said Report be taken into Consideration on Tuesday next at three o'Clock Afternoon.

Debate on His
Excellency's
Message.

His Excellency's Message of the 6th Currant, as entered, was again read ; and after a considerable Debate thereon, the Question was put, viz. *Whether any Pay shall be allowed to the Gentlemen who shall attend His Excellency at the Eastern Conference, &c ?* It pass'd in the Negative.

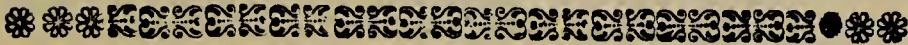
Then the House adjourn'd till Monday next Eleven o'Clock Forenoon.





VOTES

Of the House of Representatives.



Lunæ 10. Die Junii, A. D. 1754.

Voted, That Mr. Speaker, Col. *Brattle*, Mr. *Allen*, Mr. *Sparhawk*, Mr. *James Bowdoin*, Mr. *James Russell*, Capt. *Joseph Williams*, Mr. *Josiah Quincy*, and Mr. *William Fletcher*, be a Committee to examine the Province Treasurer's Accompts in the Recess of the Court, and report thereon at the next Sessions.

Committee
on Treasurer's
Accompts.

Voted, That the same Committee examine the Commissary General's Accompts, and report thereon at the next Sessions.

On Commissary's Accompts

Ordered, That Mr. Speaker, Capt. *Joseph Williams*, Col. *Brattle*, Mr. *James Russell*, and Mr. *Gibbs* of *Salem*, together with such as the honourable Board shall join, be a Committee to take an Account of the Bills of Credit of the several Denominations, and the Government-Securities now in the Hands of the Treasurer, and consume them to Ashes, and report thereon at the next Sitting of this Court.

Committee
on Bills.

Sent up for Concurrence.

Post Meridiem.

Voted, That the three Hundred Men ordered by this Court to be raised as an Augmentation of Col. *Winslow's* Regiment for the designed Service at the Eastward, shall not be entitled to the Bounty Money granted for their Inlistment, unless they provide themselves with sufficient Arms to the Acceptance of the Muster-Master

Vote relating
to Soldiers.

Sent up for Concurrence.

Resolved, That the Charge of furnishing with suitable Arms such of the five Hundred Men already inlisted for the Service at the Eastward, as shall not provide themselves with Arms to the Acceptance of the Muster-Master, shall be deducted out of such deficient Soldiers respective Wages.

Resolve relating to Fire
Arms.

Sent up for Concurrence.

H

Mr.

Mr. Secretary brought down a Message from His Excellency the Governor, together with a Memorial of Col. *John Winslow's* to the Captain General : Which he laid on the Table, and then withdrew.

His Excellency's Message was read, and is as follows, viz.

His Excellency's Message. Gentlemen of the House of Representatives,
Colonel Winslow (the chief Commander of the Forces raised for the Eastern Service) has represented to me by his Memorial (which I now lay before you) that many of the Soldiers have Families, and are not able to leave with them what is necessary for their Support in their Absence ; and that others, tho' without the Charge of Families, yet are destitute of necessary and sufficient Cloathing ; and that therefore the Advance of one Month's Pay will be a great Relief and Encouragement to them :
And as I am informed these Soldiers are good effective Men, and likely to do Service on this Occasion, I must recommend it to you (Gentlemen) as a Matter I apprehend much conducing to the public Benefit, to make Supply for the proposed advance Wages accordingly.

Council Chamber,

W. S H I R L E Y.

June 10. 1754.

The House having taken the aforesaid Message into Consideration ; Thereupon Ordered, That Capt. *Tasler*, Col. *Brattle*, and Major *Hawley*, be a Committee to draw up an Answer thereunto.

Message to the Board.

Ordered, That Capt. *Tasler* go up to the honourable Board, and enquire whether they have passed on the Excise-Bill.

Who returned that he was informed that the Bill was non-concur'd.

Message to the Board.

Ordered, That Col. *Miller* go up to the honourable Board, and desire that the Excise-Bill may be sent down.

John Erving, Esq; bro't down said Bill accordingly.

Committee on Bill.

Ordered, That Mr. *Allen*, Col. *Brattle*, Mr. *Sparhawk*, Mr. *Fletcher*, and Mr. *Tasler*, be a Committee to bring in an Excise-Bill.

Bill enacted.

An engross'd Bill Intituled *An Act to enable John Payne, Gentleman, to attest certain Records in the Probate Office for the County of Suffolk.*

Read and Resolved, That the Bill pass to be enacted.

Sent up for Concurrence.

Petition of Robert Miller.

A Petition of *Robert Miller* of *Philip's-Town*, in the County of *York*, a Soldier in the late Expedition against *Cape-Breton*, representing his past Services, and his present unhappy Condition occasioned by the Loss of one of his Arms in said Service, and praying Relief.

Read and Ordered, That Capt. *Marcy*, Capt. *Livermore*, and Mr. *James Bowdoin*, be a Committee to take the same into Consideration, and report what they think proper for this Court to do thereon.

Petition of Gillam Phillips.

A Petition of *Gillam Phillips*, Esq; praying that he may be enabled to review a Judgment of the Superior Court in *August* last, obtained against him by *Benjamin Hollowell*, for the Reasons mentioned in said Petition.

Read and Ordered, That the Petitioner serve the adverse Party *Benjamin Hollowell*, with a Copy of this Petition, that he shew Cause (if any he have) on the second Thursday of the next Sitting of this Court, why the Prayer thereof should not be granted. Sent up for Concurrence.

A

A Petition of *Moody Russell* of *Barnstable*, praying that he may have Liberty of an Appeal from a Judgment of the Court of General Sessions of the Peace in the County of *Barnstable*, given against him in *October* last, for the Reasons mentioned. Petition of
Moody Russell.

Read and committed to Major *Hawley*, *Nathanael Russell*, Esq; and Capt. *Joseph Williams*, to consider of the same, and report what they think proper for this Court to do thereon.

Then the House adjourn'd 'till to Morrow Morning nine o'Clock.

Martis 11. Die Junij, A. D. 1754.

THE Committee on the several County Treasurer's Accompts, reported on the County Treasurer's Accompts for the County of *Hampshire*. Report on
County Treas-
urer's
Accompts.

Read and accepted, and Ordered, That the Accompt be allowed, and that the Ballance thereof being *One Pound three Skillings and nine Pence one Farthing* (exclusive of the Assessments laid on *Suffield*, *Enfield* and *Somers*, for the last two Years, the Amount of which is *sixty two Pounds three Skillings and one Farthing*) the said County be accountable to the said Treasurer for.

Sent up for Concurrence.

The Committee appointed on the Petition of *Robert Miller*, reported thereon according to Order.

Report on
Petition of
Robert Miller.

Read and accepted, and Ordered, That the Petitioner be allowed out of the Province Treasury *Six Pounds*, to be paid to Col. *John Storer*, for his Use; and that he be also allowed *Three Pounds* Yearly, during the Pleasure of this Court.

Sent up for Concurrence.

A Memorial of *William Boardman*, a Collector of the Taxes for the Town of *Chelsea*, praying that he may have a further Time allowed him for collecting and paying in the Taxes of the said Town.

Read and committed to Col. *Brattle*, Capt. *Joseph Williams*, and Capt. *Newball*, to consider and report thereon.

Ordered, That Mr. *Gibbs* of *Salem*, Capt. *Livermore*, and Mr. *James Bowdoin*, be a Committee to prepare a List of the Travel and Attendance of the several Members of this House at the present Session. Committee
for List.

The Report of a Committee on the Petition of *Benjamin Davis*, as entered *December 7th 1753*. Signed *Benjamin Lynde*, per Order Pass'd in Council, viz. In Council *June 5. 1754*. Read and sent down. Report on
Petition of
Benj. Davis.

Read and accepted, and Ordered, That the Petitioner *Benjamin Davis* be allowed a Bounty of *twelve Pence* on every Pound of Indigo he shall Manufacture for the Space of five Years next coming, to be paid from Time to Time out of the Province Treasury, on Oath by him made before two Justices of the Peace, *Quorum Unus*, that the said Indigo was of the Growth of this Province, and manufactured by him, and that he had not received any Bounty for the same, or any Part thereof, a Certificate whereof to be produced under the Hands of the Justices administering the same; and also that such Indigo (upon an Assay of the Goodness thereof) made by one or more skilful Persons, that shall be appointed by said Justices, has been by him or them approved as good and well manufactured.

Sent up for Concurrence.

The

Report on
Petition of
Moody Russell.

The Committee appointed on the Petition of *Moody Russell*, reported thereon according to Order.

Read and accepted, and *Ordered*, That the Petitioner have Liberty to bring forward an Appeal from said Judgment of the Court of General Sessions of the Peace for the County of *Barnstable* in *October* last, to the next Superior Court of Judicature Court of Assize and General Goal Delivery, to be held at *Barnstable* for the County of *Barnstable* and *Duke's-County*; provided he notify the adverse Party *David Gorham*, Esq; thereof, fourteen Days before the Time of the Sitting of said Court, where said Appeal is to be tried; and in Case the Petitioner on the Trial of the Appeal be found not guilty of the Matters alledged against him in said Information, that the Superior Court give Judgment for the Petitioner to recover against the said *Gorham*, the Sum of *Five Pounds sixteen Shillings and ten Pence*, being the Amount of the Fine and Costs which the said *Gorham* recovered of the Petitioner on the Judgment of the said Court of Sessions, and such other and further Sum for the Petitioner's Costs in defending said Suit at the said Court of Sessions, and prosecuting the Appeal hereby ordered, as said Court shall judge the Petitioner by Law and Justice entitled to.

Sent up for Concurrence.

Petition of
Thomas Glover.

A Petition of *Thomas Glover* of *Dorchester*, setting forth his just and equitable Right to a certain Estate therein mentioned, and praying an Explanation of the Laws for settling the Estates of Intestates, or that some other Relief be given him, so as that he may become possessed of his just Rights, and that he may be heard by Council thereon.

Read and *Ordered*, That the Consideration of this Petition be referred to the next Sitting of this Court.

Petition of
Nelson Finny.

A Petition of *Nelson Finny*, as entered the 14th of *December* last.

Read, together with the Papers accompanying the same, and *Ordered*, That the Consideration of this Petition be referred to the next Sitting of this Court.

Petition of
Ezek. Cushing.

A Petition of *Ezekiel Cushing* of *Falmouth*, Esq; praying that the Judge of Probate for the County of *York* may be impowred and directed to settle a certain Estate therein mentioned, according to an Agreement made by the Party's concerned in the same, for the Reasons mentioned; together with the Answer of *Dominicus Jordon*, and others, and sundry other Papers accompanying the same, with a Vote of Council thereon, viz. In Council, *June 6. 1754.* *Ordered*, That the Consideration of this Petition and Answer be referred to the second Wednesday of the next Sitting of this Court.

Sent down for Concurrence.

Read and concur'd.

Bill read.

A Bill Intituled *An Act for granting to His Majesty an Excise upon Wines and Spirits distill'd, sold by Retail or consumed within this Province, and upon Limes, Lemons and Oranges.*

Read a first Time, and

Ordered, That said Bill have a second Reading at three o'Clock this Afternoon.

Post Meridiem.

Petition of
Mary Bailey.

A Petition of *Mary Bailey* of *Boston*, Widow, setting forth that she was appointed sole Executrix to the last Will of *Margaret Pastree*, deceased, and that the said *Margaret* bequeathed to her the whole of her Personal Estate,

Estate, ordering her just Debts and Funeral Charges to be paid out of the Produce of her Real Estate ; but as there is no Clause in said Will empowering her to sell the same ; therefore praying that the Justices of the Superior Court may be authorized and impowred to enable the Petitioner to sell the same, or that this Court would otherwise enable her to dispose of the Premisses.

Read and committed to *Natbaniel Russell*, Esq; Col. *Storer*, and Mr. *Jonathan Foster*, to consider the Petition, and to report what they think proper for this Court to do thereon.

The Committee on the several County Treasurers Accompts, reported on the County Treasurer's Accompt for the County of *Middlesex*. Report on
County Treas-
urer's
Accompts.

Read and accepted, and *Ordered*, That the Accompt be allowed, excepting one Article of *two Pounds* paid *Richard Foster*, Esq; Sheriff of said County, which he is to repay the said Treasurer, and there will then remain a Ballance of *One Hundred and ninety-eight Pounds one Shilling and ten Pence*, due to said County, which Ballance the said Treasurer is further accountable to the said County for. [Shilling

Sent up for Concurrence.
A Bill Intituled *An Act for granting to His Majesty an Excise upon Wines and Spirits distilled, sold by Retail or consumed within this Province, and upon Limes, Lemons and Oranges.* Bill engros'd.

Read a second and third Time, and pass'd to be engros'd.

Sent up for Concurrence by Mr. *Allen*, Mr. *James Bowdoin*, Col. *Brattle*, Col. *Storer*, and Col. *Richards*.

James Minot, Esq; brought down the Memorial of *William Sheafe*, Esq; Guardian to *Margaret Child*, a Minor, together with a Petition of the said *William*, to the General Court. Pass'd in Council, viz. In Council *June 7. 1754.* Read and *Ordered*, That this Petition be revived, and that the Prayer thereof be granted, and that the Petitioner in his said Capacity be and he is hereby authorized (in Conjunction with the other Persons interested) to make Sale of the Lands in the said Petition mentioned, and to give and execute a good and sufficient Deed or Deeds of Conveyance of the same, he first giving due Caution to the Judge of Probate for the County of *Worcester*, that he shall account for the Proceeds of such Sale, either with the Judge of Probate for the Time being for said County, or to the Parties interested (for their respective Proportions of the same) when thereunto lawfully required : the Widow of the said Deceased (in Case she shall join in the Sale of the Premisses) to have the Use or Interest of one third Part of the Proceeds of such Sale, during the Term of her natural Life. Memorial of
Wm. Sheafe,
Esq; brought
down.

Sent down for Concurrence.
Read and concur'd.

James Minot, Esq; brought down the Petition of *Moody Russell*, with a Vote of Council thereon, viz. In Council *June 11. 1754.* Read and non-concur'd, and *Ordered*, That the Petitioner serve the adverse Party *David Gorham*, Esq; with a Copy of this Petition, that he shew Cause (if any he have) on the second Wednesday of the next Sitting of this Court, why the Prayer thereof should not be granted. Petition of
Moody Russell
bro't down.

Sent down for Concurrence.

Read and concur'd.

Ordered, That Mr. *John Hunt* go up to the honourable Board, and enquire whether they have passed on the Bill for granting an Excise on Tea, Coffee, &c ? Message to
the Board.

Who returned, that he was informed that the Bill was non-concur'd.

I

Ordered,

Message to the Board. *Ordered*, That Mr. *James Bowdoin* go up to the honourable Board, and desire that the Bill for granting an Excise on Tea, Coffee, &c. may be sent down ; Who return'd he had delivered the Message.
Sylvanus Bourn, Esq; brought down the said Excise-Bill accordingly.

Committee on Bill. *Ordered*, That Mr. *Tasler*, Mr. *Fletcher*, and Major *Hawley*, be a Committee to bring in a Bill for granting to His Majesty an Excise on Tea, Coffee, &c.

Memorial of *Elisba Chapen*. A Memorial of *Elisba Chapen*, Commander of *Fort-Massachusetts*, praying that there may be allowed an Augmentation of the Forces at said Fort, for the Reasons mentioned.

Read and *Resolved*, That the Captain General be desired to make an Addition of Five Men, to the Forces already ordered at *Fort-Massachusetts*.
 Sent up for Concurrence.

Committee on Resolve. On a Motion made and seconded, *Ordered*, That Capt. *Livermore*, Mr. *Allen*, and Mr. *James Bowdoin*, be a Committee to draw up a Resolve of this House relating to a Tax laid on some of the Province unimproved Lands in the Township of *Sunderland*, and report to this House what they think proper for this Court to do thereon.

Memorial of *Jacob Wendell*, Esq; brought down. *John Greanleafe*, Esq; brought down a Memorial of *Jacob Wendell*, Esq; as entred the 19th of *April* last. Pass'd in Council, viz. In Council *June 11. 1754*. Read again, with the Answers and other Papers in the Case, and it not appearing by the Papers upon File in the Superior Court that *Charles Goodrich* who petitioned for the Division of the within mentioned Lands, had any Authority from the other Proprietors so to do ; but on the contrary, by his own Declaration upon Oath in the Case, that he was the only Person who petitioned therefor : And it likewise appearing that four only of the five Persons appointed by the Superior Court for that Purpose, ever attended the Service :

Resolved, That the Division made of said Lands is of Course null and void, and the same is declared to be null and void accordingly.

Sent down for Concurrence. Read and concur'd.

Petition of *Israel Mead*. A Petition of *Israel Mead*, Guardian to the Children of *Jonathan Mead*, deceased, praying Liberty to sell forty Acres of Land in *Housatonnuck* Numb. Three, for the Benefit of said Children, for the Reasons therein mentioned.

Read and committed to Mr. *Sparhawk*, Capt. *Joseph Williams*, and Mr. *John Hunt*, to consider and report thereon.

Bills engross'd. A Bill Intitl'd *An Act for the better Preservation and Increase of Deer*.
 Read a third Time, and pass'd to be engross'd.
 Sent up for Concurrence.

A Bill Intitl'd *An Act for reviving and continuing sundry Laws that are expired or near expiring*.

Read a third Time, and pass'd to be engross'd.

Sent up for Concurrence.

Petition of *John Pitts*. A Petition of *John Pitts* of *Bellingham*, praying that notwithstanding he was defaulted in an Action bro't against him by *Jonathan Draper*, at the last Inferior Court for the County of *Suffolk*, he may have Leave to defend his said Action at the next Inferior Court to be held for the County of *Suffolk*, for the Reasons mentioned.
 Read

Read and Ordered, That the Petitioner serve the adverse Party *Jonathan Draper* with a Copy of this Petition, that he shew Cause (if any he have) why the Prayer thereof should not be granted.

Sent up for Concurrence.

A Bill Intituled *An Act for granting to His Majesty an Excise upon sundry Articles hereafter enumerated, for and towards the Support of His Majesty's Government of this Province.* Bill engross'd.

Read a first, second and third Time, and pass'd to be engross'd.

Sent up for Concurrence by Col. *Brattle*, Major *Hawley*, and Mr. *John Haywood*.

On a Motion made and seconded, His Excellency's Message of the 6th Currant, was read again, which is as follows, viz.

Gentlemen of the House of Representatives,

I Think it necessary that a Quorum of His Majesty's Council should attend me to the Eastward, and I have ordered suitable Accommodation to be made for them, and also for several Gentlemen of your House, whose Company I have desired, and who have signified their Readiness to go with me; and if there be any other Gentlemen of the House who incline to accompany me, upon it's being signified to me, I will give further Orders for their Accommodation likewise. His Excellency's Message.

Council-Chamber,
June 6. 1754.

W. S H I R L E Y.

And after a Debate had thereon, the Question was put, viz. *Whether the House will appoint any Committee to wait on His Excellency to the Eastern Parts of this Province?* It pass'd in the Negative.

Then the House adjourned 'till to Morrow Morning nine o'Clock.

Mercurij 12. Die Junij A. D. 1754.

THE Committee appointed to draw up an Answer to His Excellency's Message of the 10th Currant, reported thereon the following Answer.

Report of the Committee on His Excellency's Message.

Read and accepted, and Ordered, That Capt. *Taske*, Col. *Brattle*, and Mr. *Quincy*, be a Committee to wait upon His Excellency, and deliver the same.

The Answer to His Excellency's Message is as follows :

May it please your Excellency,

THE House of Representatives having with due Attention considered your Excellency's Message to them of the 10th Instant, beg Leave to observe thereon ; That so large a Bounty was voted to the Soldiers as an Encouragement for their Enlisting, from an Apprehension that it might answer all the Purposes Your Excellency is pleased to mention ; and they humbly conceive, that a farther Advance will be a Temptation to some of them, rather to leave than continue in the Service, and be of no real Advantage to themselves, or to their Families. And when Your Excellency views the Matter in this Light, they are perswaded you will approve of their Conduct, as it proceeds from a Disposition rather to forward and secure, than to delay or impede the intended Expedition.

The

Resolve relating to a Gunner for *Castle-William*. The House took into Consideration that Clause in His Excellency's Speech relating to a Gunner for *Castle-William*; and after a Debate had thereon, *Resolved*, That the further Consideration of that Affair be referred to the next Sitting of the Court.

Debate on Excise-Bill. A Motion being made and seconded, representing that it would be for the Advantage of the Province if the Bill for granting Excise on the private Consumption of spirituous Liquors were drawn into a separate Act; and after a Debate had thereon, the Question was put, *Whether the said Bill should be sent for down from the honourable Board for that Purpose?* It pass'd in the Negative.

Committee on Supply and Tax-Bill. *Ordered*, That Col. *Brattle*, Capt. *Joseph Williams*, and Major *Hawley*, be added to the Committee on the Supply and Tax-Bill, in the Room of Col. *Otis*, Judge *Russell*, and Col. *Cboate*, who are absent.

Bill engros'd. An engros'd Bill Intituled *An Act for granting to His Majesty several Rates and Duties of Impos't and Tunnage of Shipping*.
Read and *Resolved*, That this Bill pass to be enacted.

Report on Memorial of *Will. Boardman*. The Committee on the Memorial of *William Boardman*, reported.
Read and accepted, and *Ordered*, That the Prayer of the Petition be so far granted, as that upon the Petitioner's paying in one Month's Time into the Province Treasury *Sixty Pounds*, which he therein declares he will pay in a few Days; the Province Treasurer be and hereby is directed to delay for six Months putting in Suit the Bond given by the said Petitioner, with Sureties to said Treasurer as a Security for the Payment of the Sum therein mentioned. Sent up for Concurrence.

Report on Petition of *Mary Bailey*. The Committee appointed on the Petition of *Mary Bailey*, reported thereon according to Order.
Read and accepted, and *Ordered*, That the Prayer of the Petition be so far granted, as that the said *Mary* in her said Capacity of Executrix as therein mentioned, be impowered to make Sale of the House and Land in said Petition mentioned, for the most they will fetch, and to execute a sufficient Deed or Deeds of the same, she observing the Rules and Directions in the Law for the Sale of Intestate Estates, and giving sufficient Caution to the Judge of Probate for the County of *Suffolk*, that the Produce thereof shall be applied for the Payment of the just Debts and Funeral Charges of said Deceased, and the Remainder thereof to be divided according to the Directions of her said Testatrix in her Will therein mentioned. Sent up for Concurrence.

Report on Petition of *Israel Mead*. The Committee to whom was referr'd the Petition of *Israel Mead*, reported according to Order.
Read and accepted, and *Ordered*, That the Prayer of the Petition be granted, and that the Petitioner be and is hereby impowered to make Sale of forty Acres of said Land, to such Person or Persons as shall appear to give most for the same, and to execute a good and sufficient Deed thereof in the Law; provided the said Petitioner shall give sufficient Caution to the Judge of Probate for the County of *Hampshire*, for the Use of this Government, that the Produce of the Sale of said Land shall be applied to bring forward the Settlement of said Right, as is enjoined by this Court. Sent up for Concurrence.

The House re-assumed the Consideration of the Report of the Committee on that Part of His Excellency's Speech relating to Fire Arms, &c. as entered the 7th Currant. Vote relating to Fire Arms.

Read, and after a considerable Debate thereon, the Question was put, *Whether the House would so far accept of the Report of said Committee as to enter into any Measures for furnishing the Province with any Fire Arms?* It pass'd in the Negative.

The Committee appointed on the several County Treasurers Accompts, reported on the County Treasurer's Accompt for the County of *Suffolk*. Report on County Treasurer's Accompt.

Read and accepted, and *Ordered*, That the Accompt be allowed, and that the Ballance thereof being *three Pounds seventeen Shillings* due from the late Treasurer *Joshua Winslow, Esq;* he be accountable to *Richard Bill, Esq;* the present Treasurer for, which Sum, together with the further Sum of *One Hundred and thirty four Pounds fifteen Shillings and ten Pence*, the said *Richard Bill, Esq;* be accountable to the said County for.

Sent up for Concurrence.

Post Meridiem.

Mr. Deputy Secretary brought down a Message from His Excellency, which he laid on the Table, and then withdrew. Message bro't down.

Ordered, That the Consideration thereof be had at Five o'Clock this Afternoon.

A Bill Intituled *An Act in Addition to an Act Intituled an Act to prevent Default of Appearance of Representatives in the General Assembly, made in the fifth Year of King William and Queen Mary.* Bill read.

Read, and referred to the next Sitting of this Court.

A Petition of *Jacob Chalcom*, Indian-Planter of *Natick*, praying for Liberty to sell twenty-five Acres of his unimproved Lands, and to exchange the remaining Part of his remote Lands for some nearer or adjoining to his House Lot, for the Reasons mentioned. Petition of Jacob Chalcom.

Read and committed to Capt. *Marcy*, Capt. *Joseph Williams*, and Mr. *William Bowdoin*, to consider and report thereon.

A Memorial of *Thomas Edwards*, Captain of the Artillery Company, praying that this Court will not pass any Act in Favour of the Company of Cadets, before the Memorialist have Leave to be heard by Council against the same, for the Reasons mentioned. Memorial of Tho. Edwards.

Read, (and together with the Cadet-Bill) referred to the next Sitting of this Court.

A Petition of *John Walker*, a Soldier in the late Expedition against *Cape-Breton*, as entered the first of *April* last. Petition of John Walker.

Read and referred to the next Sitting of this Court.

Samuel Watts, Esq; brought down a Bill Intituled *An Act in Addition to an Act Intituled an Act for the better Preservation and Increase of Deer in this Province.* Bill brought down.

Pass'd in Council, viz. In Council *June 12. 1754.* Read a first and second Time, and pass'd a Concurrence to be engross'd as taken into a new Draught.

Sent down for Concurrence.

Read and concur'd.

Petition of
Select Men of
Plymouth. A Petition of the Select-Men of the Town of *Plymouth*, praying that this Court would remit the Fine of *twenty-six Pounds* laid upon said Town for not sending a Representative last Year, for the Reasons mentioned.

Read and *Ordered*, That the Petition be dismiss'd.

Order relating
to Province
Treasurer. On a Motion made and seconded, *Ordered*, That the Province Treasurer be enjoined to give in to the Committee on the said Treasurer's Accompts, a particular Account of the several Fines, and all other Dues to the Province ; and that the Ballance of Cash in said Treasurer's Hands be told up, and an Account thereof taken by the said Committee.

Debate on
His Excellen-
cy's Message
relating to
Fire Arms. The House took into Consideration His Excellency's Message of this Afternoon, and after a long Debate thereon, the Question was put, viz. *Whether the House will give Orders for purchasing any Arms for a Province Stock ?* It pass'd in the Negative.

The Question was again put, viz. *Whether there shall any Quantity of Arms be purchased and distributed into the several Towns in Proportion to their Province Tax ?* Resolved in the Affirmative.

And thereupon *Ordered*, That two Thousand five Hundred good Fire Arms be purchased as soon as may be, and that the same be distributed into the several Towns of this Province, in Proportion to their respective Province Taxes. Sent up for Concurrence.

Ordered, That Mr. *Allen*, Mr. *James Bowdoin*, and Mr. *Fletcher*, together with such as the honourable Board shall join, be a Committee to purchase the said two Thousand five Hundred Fire Arms : Also,

Ordered, That the said Committee make Enquiry of the Treasurer upon what Funds the Security for the Money to defrey the foregoing Expence of Fire Arms (in Case the same should be borrowed) may be laid.

Commissary
directed. *Ordered*, That the Commissary-General be directed to deliver to Capt. *Israel Ashley*, out of the Arms belonging to this Province now in his Store, to the Value of *Forty Shillings*, in Lieu of two Guns lost by him in the late intended Expedition against *Canada*.

Report of a
Committee
on Province
Lands. The Committee to whom was referr'd the Consideration of the Tax laid on some of the unappropriated Lands of the Province lying in the Township of *Sunderland*, reported thereon.

Read and accepted, and in-as-much as a Tax of one half Penny per Acre, for the Term of three Years, was by this Court laid upon the unimproved Lands in the Township of *Sunderland* in *December* last, at which Time there was a Tract of five Thousand eight Hundred and fifty Acres of unappropriated Lands lying near or adjoining to *Miller's River*, which this Court afterwards ordered to be sold to the highest Bidder, and the same was accordingly sold to Mr. *Joseph Lee*, he being enjoined by the Conditions of Sale to settle ten Families upon the same within the Term of three Years : And whereas the Committee are on Account of the said Tax under some Difficulty in making a Deed in the usual Form for said Land, and warranting the same free and clear of all Incumbrances, as the Purchaser expects ; Therefore,

Resolved, That it never was the Intent of the Court to subject any of the unappropriated Lands of the Province by such Vote ; and as the Conditions of Sale enjoined on the Purchaser a Duty which will be of equal Importance with the Tax to the Town or District where said Land lies ; *Resolved*, That the Committee appointed to sell the same be directed

rected to give a good and sufficient Deed therefor, in the usual Form, and warrant the same free from all other Incumbrances, excepting such as were expressly stipulated at the Time of Sale ; and the Assessors where the said Land lies are hereby ordered to conform themselves accordingly.
Sent up for Concurrence.

Ordered, That Mr. *Jacob Cushing* be added to the Committee on the Supply and Tax-Bill.

Then the House adjourn'd 'till to Morrow Morning nine o'Clock.

Jobis 13. Die Junij A. D. 1754.

THE House taking into Consideration what Sum the Treasury shall be supplied withal ; and after a Debate thereon, *Resolved*, That the Sum be *eighteen Thousand Pounds* ; and that the Committee on the Supply Bill prepare said Bill accordingly. Resolve on Supply-Bill.

Mr. Deputy Secretary brought down a Message from His Excellency the Governor, which he laid on the Table, and then withdrew.

His Excellency's Message was read, and is as follows, viz.

Gentlemen of the House of Representatives,

According to your Desire to me expressed on the Memorial of Capt. Elisha Chapin, I shall give Orders for the Reinforcement of Fort Massachusetts with five Men ; and considering the Importance of that Fort, and its great Distance from any of our Settlements, it would have pleased me if you had made Provision for a few more Men there. His Excellency's Message.

Upon this Occasion I must put you in Mind of the hazardous Condition Fort-Pelham and Fort-Shirley are now in, if there should be any sudden Assault from the Indians on that Frontier ; we must expect that the first Thing they will do would be to burn those Forts, which they might easily do, in their present Circumstances.

Therefore I must recommend it to you, that Provision be made that some better Care may be taken for preserving them.

Council-Chamber,

W. S H I R L E Y.

June 13. 1754.

After a Debate on the foregoing Message, *Voted*, That the Captain General be desired to order an Addition of Five Men, to the Forces already order'd at *Fort-Massachusetts*. Sent up for Concurrence.

Ordered, That Capt. *Witt*, Major *Hawley*, and Capt. *Marsh*, be a Committee to consider of the Circumstances of *Fort-Pelham* and *Fort-Shirley*, and report thereon. for Forts.

An engross'd Bill Intituled *An Act for revising and continuing sundry Laws of this Province that are expired or near expiring.* Bills enacted.
Read and *Resolved*, That the Bill pass to be enacted.

An engross'd Bill Intituled *An Act for further continuing the Act Intituled an Act in Addition to an Act for the better Preservation and Increase of Deer within this Province.*

Read and *Resolved*, That the Bill pass to be enacted.

Post Meridiem.

Bill enacted. An engross'd Bill Intitl'd *An Act for granting to His Majesty an Excise upon sundry Articles hereafter enumerated, for and towards the Support of His Majesty's Government of this Province.*

Read and Resolved, That the Bill pass to be enacted.

Petition of *David Morfe, &c.* A Petition of *David Morfe*, and others, Inhabitants of *Natick*, praying that they may be vested with Power to call Meetings, raise Money, and chuse Officers, in order to their supporting the public Worship amongst them, for the Reasons mentioned ; together with the Report of a Committee of this Court and Order thereon, dated *October 6. 1750.* accompanying the same.

Read and Ordered, That the Prayer of the Petition be granted, and that Col. *Brattle* draw a proper Vote thereon accordingly.

An engross'd Bill Intitl'd *An Act for granting to His Majesty an Excise upon Wines and Spirits distilled, sold by Retail, or consumed within this Province, and upon Limes, Lemons and Oranges.*

Read, and after a long Debate, the Question was put, viz. *Whether the enacting of this Bill should be determined by Yeas and Nays ?*

Resolved in the Affirmative.

Then the Question was put, *Whether the Bill should pass to be enacted ?*

Resolved in the Affirmative.

Yeas.

Yeas.

Nays.

Yeas & Nays.

Capt. Joseph Williams,
Robert Spur, *Esq;*
Samuel Miller, *Esq;*
Mr. Samuel Niles, Jun.
Capt. Thomas Pratt,
Mr. Jacob Cushing,
Joseph Richards, *Esq;*
Mr. Simon Plimpton,
Mr. Jonathan Adams,
Mr. Benja. Greenleaf,
Jos. Gerrish Jun, *Esq;*
Capt. Benj. Newhall,
Mr. Humphry Hobson,
Mr. William Stevens,
Mr. Isaac Merrill,
Capt. Benja. Milliken,
Mr. Jonathan Foster,
Mr. Elisha Porter,
Capt. John Dodge,
William Brattle, *Esq;*
Mr. William Fletcher,
Mr. Edward Walker,
Ebenezer Nichols, *Esq;*
Mr. Samuel Witt,
Capt. Enoch Kidder,
Joseph Haven, *Esq;*

Mr. Benjamin Hills,
Mr. Elisha Jones,
Samuel Livermore, *Esq;*
Thomas Reed, *Esq;*
Joseph Hawley, *Esq;*
Capt. Moses Marth,
Mr. Israel Ashley,
Mr. Joseph Houlton,
David Ingersole, *Esq;*
Wm. Richardson, *Esq;*
John Murray, *Esq;*
Mr. John Haywood,
Capt. Nathan Tyler,
Mr. Daniel Greenwood,
John Whitcomb, *Esq;*
Moses Marcy, *Esq;*
Thomas Clap, *Esq;*
Capt. Josiah Edson,
Mr. Isaac Bonny,
Capt. Nathaniel Smith,
Mr. Jacob Porter,
Mr. Israel Tisdale,
Mr. Aaron Kingsley,
Capt. Nathaniel Sole,
Mr. Benjamin Day,
Mr. Samuel Hill.

James Allen, *Esq;*
Mr. James Bowdoin,
Mr. Josiah Quincy,
Mr. William Bowdoin,
Henry Gibbs, *Esq;*
John Tasker, *Esq;*
Caleb Cushing, *Esq;*
Mr. James Russell,
Henry Gibbs, *Esq;*
Mr. Stephen Hall, Jun.
Thomas Foster, *Esq;*
Gamaliel Bradford, *Esq;*
Mr. William Sever,
Mr. John Bradbury,
Nath. Sparhawk, *Esq;*
John Storer, *Esq;*
John Minot, *Esq;*

Message bro't down.

Mr. Secretary brought down a Message from His Excellency the Governor, which he laid on the Table and then withdrew :

His

His Excellency's Message was read, and after a Consideration thereof had, *Ordered*, That six Hundred Fire Arms, Part of the two Thousand five Hundred already agreed to be purchased for the Use of this Province, and to be distributed to the several Towns, be appropriated to the Use of His Majesty's *Castle-William*, and the same be deposited there accordingly.
Sent up for Concurrence.

Then the House adjourned 'till to Morrow Morning nine o'Clock.

Veneris 14. Die Junii A. D. 1754.

A Petition of *Katharine Sachemus*, Indian-Woman, as entred the 18th of April last, with a Vote of Council thereon, viz. In Council June 5. 1754. Read again, together with the Answer of *James Thomas*, and another Petition of the Petitioner, with the other Papers accompanying the same, and thereupon *Ordered*, That the Petition be dismiss'd.

Sent down for Concurrence. Read and concur'd.

And whereas it appears that the aforesaid Respondent James Thomas, in his Answer to Katharine Sachemus's said Petition, does himself petition this Court that he may be impowred to give a Deed of Confirmation to the Heirs of Nehemiah Washburne, of Lands sold by the said James's Father to the said Washburne ;

Therefore,

Ordered, That the Petitioner *James Thomas*, with the Assistance of the Guardians of the *Tetticut* Indians, be impowred to make a good Deed (in Law) of Confirmation to *Josiah Deane*, one of the Heirs of the said *Nehemiah Washburne*, of the Lands mentioned in the Petition, and to see that Justice be done to all Parties in the Sale thereof.

Sent up for Concurrence.

A Bill Intituled *An Act for the Supply of the Treasury with the Sum of Nine Thousand four Hundred and fifty-six Pounds, seven Shillings and eight Pence, and for drawing in the same into the Treasury again ; Also for apportioning and assessing a Tax of Eight Thousand Pounds ; And also for apportioning and assessing a further Tax of Two Thousand four Hundred and twenty-three Pounds one Shilling, paid the Representatives for their Service and Attendance in the General Court and Travel, and for Fines laid on several Towns for not sending a Representative, both which Sums amount in the whole to Twenty Thousand four Hundred and twenty three Pounds one Shilling.*

Supply Bill.

Read a first Time.

The Committee appointed to consider the Circumstances of *Fort-Sbirley* and *Fort-Pelham*, reported according to Order ; Read and accepted, and

Committee on
Forts report-
ed.

Whereas it has been represented to this House that Fort-Pelham and Fort-Sbirley are so rotten and impair'd by Age, that they are not defensible in Case of an Attack, and that if it should be necessary that two Forts should be maintained in those Parts, they may be much more advantageously situated than the present are :

Therefore,

Voted, That the Captain General be desired to withdraw the two Soldiers posted at said Forts, and that the Swivel Guns at said Forts be removed and lodged where His Excellency shall judge proper, and that any valuable Materials that may be found in said Forts, may be disposed of to the greatest Advantage of this Government.

Sent up for Concurrence.

L

Voted,

Chaplain's
Wages.

Voted, That the Sum of *Five Pounds ten Shillings* per Month be allowed to the Person who shall be employ'd as Chaplain to the Forces destined for the Eastern Service, under the Command of Col. *Winslow*.
Sent up for Concurrence.

Part of *Nottingham* annexed to *Dunstable*.

In-as-much as Nottingham was Part of Dunstable, and in the Province of the Massachusetts-Bay, but by running the Line between this Government and New-Hampshire, there is but a very small Part of Nottingham now lying in this Province, unable to be made into a District, but very commodious for Dunstable ;

Therefore,

Voted, That that Part of *Nottingham* now lying in this Province be and hereby is laid to and be Part of the Town of *Dunstable*, there in every Respect to do Duty and receive Privilege.

Sent up for Concurrence.

Petition of
Joseph Darby,
&c.

A Petition of *Joseph Darby*, and many others, praying for a publick Road from *Pequaog* through *Narragansett* Numb. Two & Six, &c. to *Harvard* Meeting-House, for the better accommodating the Petitioner, and others, with a proper Road to the Metropolis of this Province.

Read and *Ordered*, That the Petition be committed to Capt. *Livermore*, Mr. *Whitcomb*, and Capt. *Richardson*, to consider of the same, and report thereon.

Message to
the Board.

Ordered, That Capt. *Richardson* go up to the honourable Board, and enquire whether any Thing is like to come down from the Board this Forenoon ?

Who returned, that he was informed nothing was like to come down.

Post Meridiem.

Message to
the Board.

Ordered, That Capt. *Joseph Williams* go up to the honourable Board, and enquire whether they have passed on the Excise-Bill ?

Who returned, that he was informed by the Secretary that the Bill was non-concur'd.

Report on
Petition of
Joseph Darby.

The Committee on the Petition of *Joseph Darby*, and others, reported thereon *viz.*

Whereas the Petitioners have not applied to the Court of General Sessions of the Peace in the County where they inhabit, for their Allowance of proper Roads, and being desirous to withdraw their Petition ;

Therefore,
Ordered, That they have Liberty so to do.

Message from
the Board.

John Otis, Esq; came down with a Message from the honourable Board, desiring that if there were any Papers relating to the Order of this House with Regard to the Towns of *Nottingham* and *Dunstable*, they may be sent up.

Committee to
wait on His
Excellency.

Ordered, That Mr. *Sparhawk*, Col. *Brattle*, Mr. *Allen*, Capt. *Sole*, Mr. *Witt*, Mr. *Fletcher*, and Col. *Clap*, be a Committee to wait on His Excellency the Governor, and acquaint him it is the Desire of this House that they may have a Recess, if His Excellency pleases.

Who returned, that they had waited on His Excellency and delivered the Message.

Report on
Petition of
Jacob Chacom.

The Committee to whom was referred the Petition of *Jacob Chacom*, reported verbally, that some Matters relating to the said Petition being uncertain

uncertain to the Committee, they were of Opinion that the said Petition should be referred to the next Sitting of this Court. Therefore,

Ordered, That the said Petition be referred accordingly.

Joseph Pyncheon, Esq; brought down the Petition of *Thomas Fletcher*, as entered the 7th of *September* last, with the Answer of *Joshua Loring*, and *Joseph Royall*; together with a Report of a Committee thereon. *Petition of Tho. Fletcher bro't down.*

Signed *Samuel Danforth*, per Order.

With a Vote of Council thereon, *viz.* In Council *June 13th 1754.* Read and accepted, and *Ordered*, That the Prayer of the Petition be granted, and that upon the Petitioner's giving sufficient Caution to the Sheriff of the County of *Suffolk*, to pay such Sum as shall finally be adjudged due to *George Ruggles* therein named, upon the Action mentioned, the Execution issued against the Petitioner be staid, and that the Petitioner be enabled to appeal from the Judgment of the Inferior Court in the County of *Suffolk*, to the Superior Court of Judicature, Court of Assize and General Goal Delivery next to be holden within and for the County of *Suffolk*, he entering his Appeal in the Clerk's Office of the said Inferior Court, fourteen Days before the sitting of the Court appealed to, and giving Bond before one of the Justices of the said Inferior Court, (in the usual Form) to prosecute the said Appeal to Effect; and that the Justices of the said Superior Court be impowred and directed to hear and determine the Case aforesaid, give Judgment therein, and award Execution thereon, as they might have done had such Appeal been made and prosecuted in Time and Manner as by Law is prescribed, and no Default had been made.

Sent down for Concurrence.

Read and concur'd.

Then the House adjourn'd 'till to Morrow Morning nine o'Clock.

Sabbati 15. Die Junii A. D. 1754.

Ordered, That the Secretary be directed to attend this House. Mr. Secretary attended the House accordingly.

Secretary directed.

When Mr. Speaker enquired of him, Whether the Impost-Bill, and Excise-Bill on Tea, Coffee & China Ware, had been laid before His Excellency, and whether His Excellency had given his Consent to them?

Mr. Secretary informed the House, that the Impost-Bill and Excise-Bill on Tea, Coffee, &c. had been laid before His Excellency, and that he had given his Consent to them.

Ordered, That Mr. *Quincy* go up to the honourable Board, and acquaint them that the House propose to proceed to the Choice of an Impost Officer by joint Ballot, at Eleven o'Clock, if it will suit them. *Message to and from the Board.*

Who returned he had delivered the Message.

Isaac Royall, Esq; came down from the honourable Board, and informed the House that they agreed to the above Proposal.

Ordered, That Col. *Clap*, Mr. *William Bowdoin*, and Col. *Brattle*, be a Committee to carry up the Votes of the House for the Choice of an Impost Officer, assist in sorting and counting them, together with the Votes of the honourable Board, and report to the House. *Committee to sort and count Votes.*

The said Committee carried up the Votes for an Impost Officer accordingly, and reported that *Daniel Russell*, Esq; was chosen unanimously.

Voted,

Committees
for farming
out the Excise
on Tea,
Coffee, &c.
for the several
Counties.

Voted, That *James Allen* and *Joseph Richards*, Esqrs; with such as the honourable Board shall join, be a Committee to farm out the Excise on Tea, Coffee and China Ware, for the County of *Suffolk*.
Sent up for Concurrence.

Voted, That *Henry Gibbs* and *Joseph Gerrish*, Jun. Esqrs; with such as the honourable Board shall join, be a Committee to farm out the Excise on Tea, Coffee and China Ware, for the County of *Essex*.
Sent up for Concurrence.

Voted, That *William Brattle*, Esq; and Mr. *James Russell*, with such as the honourable Board shall join, be a Committee to farm out the Excise on Tea, Coffee and China Ware, for the County of *Middlesex*.
Sent up for Concurrence.

Voted, That *Joseph Hawley*, Esq; and Capt. *Moses Marsh*, with such as the honourable Board shall join, be a Committee to farm out the Excise on Tea, Coffee and China Ware, for the County of *Hampshire*.
Sent up for Concurrence.

Voted, That *William Richardson*, and Capt. *Nathan Tyler*, with such as the honourable Board shall join, be a Committee to farm out the Excise on Tea, Coffee and China Ware, for the County of *Worcester*.
Sent up for Concurrence.

Voted, That *Thomas Foster* & *Gamaliel Bradford*, Esqrs; with such as the honourable Board shall join, be a Committee to farm out the Excise on Tea, Coffee and China Ware, for the County of *Plymouth*.
Sent up for Concurrence.

Voted, That *James Otis* and *David Crocker*, Esqrs; with such as the honourable Board shall join, be a Committee to farm out the Excise on Tea, Coffee and China Ware, for the County of *Barnstable*.
Sent up for Concurrence.

Voted, That *Ephraim Leonard*, Esq; and Mr. *Israel Tisdale*, with such as the honourable Board shall join, be a Committee to farm out the Excise on Tea, Coffee and China Ware, in the County of *Bristol*.
Sent up for Concurrence.

Voted, That *John Storer*, Esq; and Mr. *Samuel Hill*, with such as the honourable Board shall join, be a Committee to farm out the Excise on Tea, Coffee and China Ware, for the County of *York*.
Sent up for Concurrence.

Voted, That Col. *Mayhew* and Capt. *Norton*, with such as the honourable Board shall join, be a Committee to farm out the Excise on Tea, Coffee and China Ware, for the County of *Duke's-County*.
Sent up for Concurrence.

Voted, That *Abishai Folger*, Esq; and Mr. *Richard Coffin*, with such as the honourable Board shall join, be a Committee to farm out the Excise on Tea, Coffee and China Ware, for the County of *Nantucket*.
Sent up for Concurrence.

Voted,

Voted, That the Committees of the several Counties thro' the Province, appointed to farm out the Excise on Tea, Coffee and China Ware, insert in the public Prints the Time and Place designed for that Purpose; and that the Commencement of the Rates for said Excise is on the first Day of July next. Committee for Excise, to notify the same.

Sent up for Concurrence.

Mr. Secretary brought down a Message from His Excellency the Governor, which he laid on the Table, and then withdrew. Message bro't down.

His Excellency's Message was read.

Ordered, That the Committee appointed to purchase the two Thousand five Hundred Fire Arms for the Use of this Province, be directed to write to Mr. *Agent Bollan*, or some other Person, to purchase two Thousand (Part of the said twenty-five Hundred) Arms in *London*, upon the Credit of this Province, and on the best Terms they can, and to send them over as soon as may be. Order on Fire Arms.

Sent up for Concurrence.

Resolved, That the Excise on Tea, Coffee and China Ware, for the present Year, be mortgaged as a Security (so far as it goes) for the Payment of the said two Thousand Fire Arms. Resolve on

Sent up for Concurrence.

Ordered, That Col. *Brattle*, Mr. *Fletcher*, Mr. *Quincy*, Capt. *Sole*, and Major *Hawley*, be a Committee to carry up to the honourable Board, the following Message, viz.

May it please the honourable Board,

THIS House hath a most grateful Sense of the paternal Care His Excellency discover'd in his last Message to this House, that we might not rise with an empty Treasury. Message to the Board.

The House is fully sensible of the Inconveniencies that may arise therefrom; but at the same Time are quite conscious to themselves that they have done every Thing on their Part, consistent with the public Good to prevent it.

The House, to prevent Polls and Estates being over-burthened, projected and passed to be enacted, a salutary Excise-Bill, whereby all that consumed spirituous Liquors, the Rich as well as the Poor; those who consumed them for Luxury, as well as those who consumed the same for Necessity, might pay an Excise therefor; sent said Bill to the honourable Board for Concurrence, which by the honourable Board was non-concur'd.

The House desirous to preserve an Harmony with the honourable Board prepared another, altering the same materially in many Points, apprehending the honourable Board was not against the Spirit of said Bill as aforesaid, sent it up to the honourable Board, which by them was passed to be engros'd; but to our great Surprise was not passed by the honourable Board to be enacted; by Means whereof the Treasury is in Danger of remaining empty, unless the honourable Board is pleased to reconsider said Vote, and pass said Bill to be enacted; which if done, will be an additional Security to those Persons unto whom said Excise is mortgaged as a collateral Security.

Wherefore the House desire the honourable Board would re-consider said Vote of non concurrence, and (if they please) to pass the same to be enacted.

The said Committee returned that they had delivered the Message.

Message to the Board. *Ordered*, That Capt. *Livermore* go up to the honourable Board, and enquire whether they have passed upon the Excise-Bill ?

Who returned, that he was informed, that the honourable Board had passed said Bill to be enacted.

Message to the Board. *Ordered*, That Mr. *William Bowdoin* go up to the honourable Board, and acquaint them that the House propose to adjourn 'till three o'Clock Afternoon.

Who returned that he had delivered the Message.

Post Meridiem.

Committee directed. *Ordered*, That the Chairman of the Committee on the Tax-Bill be sent for, and directed to attend, with the Rest of said Committee, on said Service.

Committee to wait on His Excellency. *Ordered*, That Col. *Bradford*, Mr. *Allen*, and Col. *Storer*, be a Committee to wait on the Captain General, and acquaint him that it is the Desire of this House, that His Excellency would be pleased to give Orders to the Field Officers of the several Regiments in this Government, that they take effectual Care that their several Companies be equiped with Arms and Ammunition according to Law.

Secretary directed. *Ordered*, That the Secretary be directed to attend the House.
Mr. Secretary attended the House accordingly ; When
Mr. Speaker enquired of him, whether the Excise-Bill had been laid before His Excellency, and whether he had given his Consent to it ?
To which Mr. Secretary answered, that he had laid the Excise-Bill before His Excellency, but that His Excellency had not given his Consent to it.

Message from the Board. *Isaac Royal*, Esq; came down with the following Message, viz.
Mr. Speaker, I am directed by the Board to enquire of the honourable House, whether any Thing is like to come up to the Board this Afternoon ?

To which Mr. Speaker answered, that there was nothing like to go up.

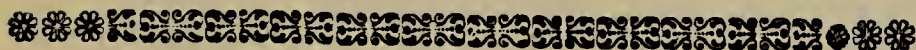
Then the House adjourn'd till Monday next three o'Clock Afternoon.



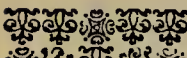
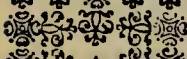
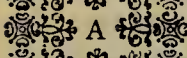
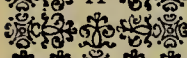
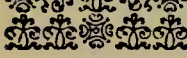


VOTES

Of the House of Representatives.



Lunæ 17. Die Junii, A. D. 1754.

 Bill Intitled *An Act for the Supply of the Treasury with the* Supply Bill.
 *Sum of Nine Thousand four Hundred & fifty-six Pounds,*
 *seven Shillings and eight Pence, and for drawing in the*
 *same into the Treasury again; Also for apportioning and*
 *assessing a Tax of Eighteen Thousand Pounds; And also for*
apportioning and assessing a further Tax of Two Thousand
four Hundred & twenty-three Pounds one Shilling, paid the Representatives
for their Service & Attendance in the General Court and Travel, and for Fines
laid on several Towns for not sending a Representative, both which Sums amount
in the whole to Twenty Thousand four Hundred and twenty-three Pounds
one Shilling.

Read a second and third Time, and pass'd to be engross'd.

Sent up for Concurrence by Mr. *James Bowdoin*, Mr. *Allen*, Capt. *Tasfer*, Capt. *Richardson*, and Col. *Brattle*.

A Message from His Excellency the Governor by Mr. Secretary, *viz.* Message from
 Mr. Speaker, His Excellency directs the Attendance of this House in His Excellen-
 the Council Chamber. cy.

Mr. Speaker, and the House went up accordingly; when His Excellency was pleased to make a Speech to both Houses: of which Mr. Speaker obtained a Copy; and then with the House return'd to their own Chamber.

His Excellency's Speech is as follows, *viz.*

Gentlemen of the Council, and House of Representatives,

“ **T**HE Secretary hath laid before me your engross'd Bill entitled, His Excellen-
 “ “ An Act for granting unto His Majesty, an Excise upon cy's Speech.
 “ Wines, and Spirits distill'd, sold by Retail, or consum'd within this
 “ Province, and upon Limes, Lemmons and Oranges.” And I find
 “ that one of the principal Reasons given in the Message sent up by the
 “ House of Representatives to His Majesty's Council on Saturday last
 “ for passing it, was to “ prevent the Polls and Estates of His Majesty's
 “ Subjects within the Province from being overburthen'd.”

“ I

“ I have already, *Gentlemen*, in the Course of this Session, given you
 “ such an Instance of my real Desire to lighten the Tax upon the Polls
 “ and Estates of your Constituents, by signing my Consent to the Act
 “ for extending the Duty of Impost to all Goods imported from *Great-*
 “ *Britain* (those only of the Produce or Manufacture of it excepted)
 “ whereby the Revenue arising from that Branch of Customs to the Pro-
 “ vince will now probably be greatly augmented, beyond what it hath
 “ been during these thirty Years past, that I think you can’t doubt of
 “ my ready Disposition to concur with you in any *proper* Measures for
 “ further easing the Subject in those Taxes.

“ But I should ill discharge the Trust reposed in me by His Majesty,
 “ if for the Sake of lightning *them*, I should join in imposing a *Burden*
 “ upon the People, which would be inconsistent with the *natural Rights*
 “ of every private Family in the Community : And such an one, I doubt,
 “ it would appear in the Eyes of your Constituents, to be subjected to
 “ keep and render an Account of the Quantity of the excisable Liquors,
 “ which they shall consume in their *private* Houses, to Collectors and
 “ their Deputies ; and *that too upon Oath*, if required by *those Officers*,
 “ or else pay a Mulct, upon their Refusal to do it.

“ This Method of raising Money is certainly not only of an extraordinary
 “ Kind, but altogether unprecedented in the *English* Government ; and
 “ if a Judgment may be form’d of the general Reception, which a Law
 “ of that Nature would meet with thro’out *this* Province, from the Dis-
 “ satisfaction and Murmuring, which the News of it’s being pass’d by
 “ the two *Houses*, seems already to have rais’d in several Parts of it ; it
 “ will be so far from producing the salutary Effects, which I am fully
 “ perswaded every Gentleman, who has voted for it, proposes to his
 “ Country by it’s being pass’d into a Law, that it is justly to be appre-
 “ hended, a general Discontent through the Province, and Disaffection
 “ to his Majesty’s Government, would be the Fruits of it ; at the same
 “ Time that the *Publick* would reap but a very inconsiderable Part of the
 “ Advantage propos’d by it, according to the Method of collecting the
 “ Tax which is provided in the Bill.

“ I must further observe to you, *Gentlemen*, that this Method of rais-
 “ ing Taxes, is contrary to the true Policy of Government in every
 “ Respect ; *That* requires that the People should pay their Taxes in the
 “ most imperceptible Manner, and not in such a one as would have a
 “ Tendency daily to remind them of their Burden, tho’ never so neces-
 “ sary ; much less when it is impos’d in a Manner, which may be conceiv’d
 “ by them to be *grievous* and *unconstitutional*.

“ I can’t avoid likewise remarking to you, *Gentlemen of the House of Re-*
 “ *presentatives*, that the Circumstances of your tacking this unprecedented
 “ Tax to your ordinary Excise, at a Time when the Excise of this Year
 “ is mortgag’d for securing the Payment of Part of the last Year’s pub-
 “ lick Debt ; and intimating in your Message to His Majesty’s Council,
 “ that unless they would concur with you in passing the Bill now under
 “ Consideration, *the Treasury would be in Danger of remaining unsupplied*,
 “ hath a direct Tendency to weaken the Credit of the Government ;
 “ tho’ I am fully perswaded at the same Time, and I hope *that* is like-
 “ wise the universal Sense of the People, that the present Members of
 “ *this House* in particular, are incapable of violating the publick Faith in
 “ any Article or Degree whatsoever.

“ The Informality of passing this Bill to be enacted at the Council
 “ Board, is another Circumstance, *Gentlemen*, which I can’t omit men-
 “ tioning. It appears by the Bill, that on Thursday last, it was pass’d
 “ by

“ by the House of Representatives to be enacted ; and by the Records
 “ of the Council, that on the Friday following, it was nonconcur'd by
 “ the Board ; that, on the same Day in the Afternoon, in Answer to a
 “ Message from the House to the Council, desiring to know whether the
 “ Board had acted upon the Bill, they let the House know, that they
 “ had non-concur'd it : On the Saturday following, it appears by the
 “ Message of the House to the Board, that they mov'd the Board to
 “ re-consider their Vote of Non-concurrence ; upon which the Board
 “ almost *instantly* proceeded to reconsider it (four of their Members which
 “ had been present at, and given their Votes in the Debate, when the
 “ Board nonconcur'd the Vote of the House for passing the Bill to be
 “ enacted, being then absent, and a smaller Number by four present, than
 “ what had voted the Day preceeding, when the Bill was rejected) and
 “ the Council then without further Formality, concurr'd the Vote of the
 “ House for passing the Bill to be enacted.

“ Some very important Affairs of the Province, which will not admit
 “ of Delay, will not allow me to enter into a thorough Consideration,
 “ whether under these before mentioned Circumstances of the Board's Re-
 “ consideration of the Vote whereby they rejected this Bill upon the third
 “ Reading, and their subsequent Vote of Concurrence for passing it to
 “ be enacted, were not absolute Nullities : That this Proceeding was at
 “ least *irregular* and *unparliamentary*, and of *dangerous Consequence* to the
 “ publick Service, seems to be most evident.

“ Upon the whole, *Gentlemen*, I think the least that you can do in
 “ Justice to your Constituents upon this Occasion, will be to pursue the
 “ Method frequently us'd by the General Assembly in Cases of the like
 “ Nature, by ordering the Bill to be printed, that your Constituents may
 “ be fully acquainted with the Contents of it during the Recess of the
 “ Court, and your selves informed of the general Sentiments of the
 “ Country concerning a Matter of this Importance, and Difficulty, which
 “ so nearly touches the natural Rights of every individual Member in
 “ his private Family.

“ In the mean Time, I will preserve the Bill in the same State,
 “ which it is now in, by making an Adjournment, instead of a Pro-
 “ rogation of the Court, until its next Meeting ; and if at that
 “ Time, I shall find that you continue of the same Opinion, after having
 “ informed your selves fully of the Sentiments of your Constituents upon
 “ this Bill ; I shall think my self more at Liberty to pass it, and shall
 “ have all due Regard to the general Voice of the People, in a Matter
 “ which purely concerns their own just Rights.

“ In this Case, to save the Excise which would grow due upon the
 “ excis'd Spirits and Liquors, after the 9th Day of *July*, until the Time
 “ of the next Meeting of the Court, from being lost, upon the Expiration
 “ of the Excise Act, now in Force ; it seems to me, that you may pro-
 “ ject a short Bill, which will effectually answer that Purpose, without
 “ prejudicing your engros'd Bill, now under Consideration.

Council Chamber,
June 17. 1754.

W. S H I R L E Y.

The House having taken the foregoing Speech into Consideration,
 it was thereupon,

Ordered, That that Part of the Excise Bill which relates to private
 Consumption of Wines and Spirits distill'd, should be printed, and sent
 to the several Towns in this Province for Consideration.

M

Then

Then the House took into Consideration the Excise in the usual Form ; and after a Debate thereon, the Question was put, *Whether the Excise-Bill in the usual Form should be continued for any longer Term ?*

It pass'd in the Negative.

Then the House adjourn'd 'till to Morrow Morning nine o'Clock.

Partis 18 Die Junii, A. D. 1754.

Committees
for Bill.

ON a Motion made and seconded, *Ordered*, That *Thomas Foster*, Esq; Col. *Brattle*, and Mr. *Quincy*, be a Committee to prepare (against the Adjournment of this Court) a Bill to regulate the Returns of the Treasurer's Executions in the Hands of Sheriffs and Coroners.

Members di-
rected.

On a Motion made and seconded, *Ordered*, That the several Members of this House be directed to lay before the Select-Men of their respective Towns, that Part of the Excise-Bill which relates to the private Consumption of Wines and Spirits distill'd, and acquaint them it is the Desire of this House that they call their several Towns together, that this House may know the Minds of their Constituents with Regard to said Bill, on the Adjournment of this Court ; Also

Ordered, That the Printer for this House be directed to send a Number of Gazettes of this Day, containing His Excellency's Speech of Yesterday, that so the several Members may lay the same before the Select-Men of their respective Towns, together with the Excise-Bill, to be communicated to them.

Vote rela-
ting to Mr.
Fletcher.

Mr. *Fletcher* acquainted the House, that a Report was spread Abroad, that in the late Debate in this House on the Excise-Bill, he had reflected on the Merchants as a Set of Men who had no Regard to the Good of their Country, and that no Regard ought to be given to any Thing they said ; and thereupon,

A Motion being made and seconded, that the Mind of the House may be known, whether they apprehend that the said Mr. *Fletcher* had cast any Reflections on the Character of Merchants in the said late Debate ;

Voted, That in the Sense of this House, Mr. *Fletcher* in the said late Debate did not say any Thing reflecting on the Merchants, or on any other Persons.

Message to
and from the
Board.

Ordered, That *Jeremiah Powell*, Esq; go up to the honourable Board, and enquire whether any Thing is like to come down this Forenoon ?

Who returned that he had delivered the Message.

Andrew Oliver, Esq; came down from the honourable Board, and informed the House, that they apprehended it would be inconvenient to adjourn the Court of General Sessions of the Peace for the County of *Suffolk*, agreeable to an Order of the two Houses passed the 7th Currant ; they therefore proposed there should be an Amendment in said Order by leaving out the Words " General Sessions of the Peace ;" and that the Court of Common Pleas only be adjourned : To which Proposal the House agreed.

Post Meridiem.

Message from
the Board.

Samuel Watts, Esq; came down from the honourable Board, and observed to the House, that the Act for granting an Excise on Tea, Coffee, &c. was thro' Mistake, (as they apprehended) made Perpetual ; they therefore propose that the said Bill shall be in Force for the Space of two Years only, from the first of *July* next :

To which Proposal the House agreed.

Isaac

Isaac Royall, Esq; brought down a Bill Intitled *An Act for punishing of Officers or Soldiers who shall mutiny or desert His Majesty's Service.* Pass'd Bill read. in Council, viz. In Council *June 17th 1754.* Read. 18th Read a second Time, and pass'd to be enacted. Sent down for Concurrence.

Read and concur'd with the Amendment at A,
Sent up for Concurrence.

An engross'd Bill Intitled *An Act for the Supply of the Treasury with the Sum of Nine Thousand four Hundred and fifty-six Pounds seven Shillings and eight Pence, and for drawing the same into the Treasury again; also for apportioning and assessing a Tax of Eighteen Thousand Pounds; and also for apportioning & assessing a further Tax of Two Thousand four Hundred and twenty-three Pounds one Shilling, paid the Representatives for their Service and Attendance in the General Court and Travel, and for Fines laid on several Towns for not sending a Representative; both which Sums amount in the whole, to Twenty Thousand four Hundred twenty-three Pounds one Shilling.* Supply Bill.

Read and Resolved, That the Bill pass to be enacted.

Then the House adjourned 'till to Morrow Morning ten o'Clock.

Mercurii 19. Die Junii A. D. 1754.

AN engross'd Bill Intitled *An Act for punishing of Officers and Soldiers who shall mutiny or desert His Majesty's Service.* Bill enacted.
Read and Resolved, That the Bill pass to be enacted.

The House being inform'd that the King's Writt directed to the Sheriff of the County of *Duke's-County*, for issuing the Precepts for the Choice of Representatives, did not come to his Hands before the Time for choosing Representatives was elapsed; Therefore Order on *Duke's-County* Precept.

Ordered, That Precepts be made out to the Select-Men of the several Towns in *Duke's-County*, viz. *Edgar-Town, Chilmark, and Tisbury*, signed by the Speaker of this House, that they call their several Towns together in order to elect and depute (if they see Cause) one or more Persons to represent them in the Great and General Court, during the remaining Part of the Year.

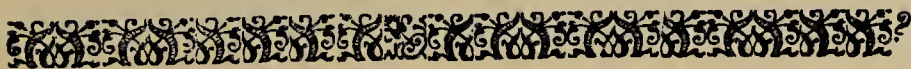
Ordered, That *Col. Clap, Mr. Allen, Col. Brattle, Mr. Fletcher, and Col. Bradford*, be a Committee to wait on His Excellency the Governor, and acquaint him, that the House have dispatched the Business that was before them, and therefore desire a Recess, if His Excellency pleases. Message to the Board.

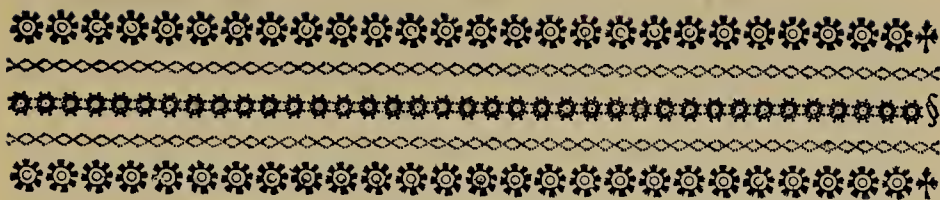
Who returned that they had waited on His Excellency and delivered the Message.

Mr. Secretary came down from His Excellency the Governor, with the following Message, viz.

Gentlemen, His Excellency directs that this Great and General Court or Assembly be Adjourn'd to Thursday the Seventeenth Day of *October* next, at Ten o'Clock in the Forenoon. Message from His Excellency.

And then Mr. Secretary declared the said Court to be Adjourned to that Time accordingly.





VOTES

Of the House of Representatives.



Jovis 17. Die Octobris, A. D. 1754.

Thomas Foster, Esq; presented the Accounts of the County Treasurer for the County of *Plymouth*, which were laid on the Table. *Plymouth County Treasurer's Accounts.*
Ordered, That the said Accounts be committed to the Committee appointed to examine the Accounts of the several County Treasurers.

Mr. Speaker communicated two Letters from Mr. Agent *Bollan*, which he received in the Recess of the Court ; one dated *Pall-Mall April* 19th. the other *August* 12th 1754 ; together with a Copy of a Memorial by him presented to the KING's most excellent Majesty: Which were read, with the other Papers accompanying the same. And *Agent Bollan's Letters.*

Ordered, That Mr. Speaker, Mr. *Welles*, Col. *Otis*, Capt. *Tasler*, and Mr. *James Bowdoin*, with such as the honourable Board shall join, be a Committee to take the said Letters, &c. under Consideration, and prepare such Papers and Evidences as are therein requested, and make Report as soon as may be.

Sent up for Concurrence.

A Petition of *Thomas Harlow*, and others, praying that this Court would confirm the Partition made of certain Lands in *Plymouth*, for the Reasons mentioned. *A Petition of Thomas Harlow, &c.*

Read and committed to Major-General *Winslow*, to draw a proper Vote thereon.

Petition of Capt. *Robert Ball*, Keeper of the Light-House at the Entrance of *Boston-Harbour*, praying that this Court would give Order for the repairing of the Light-House Boat, for the Reasons mentioned.

Read and committed to the Committee on the Affairs of the Light-House, who are impowered to make the necessary Repairs that the said Boat may want. Sent up for Concurrence.

Petition of fundry Indians of *Nantucket*, representing fundry Abuses of the English, by impounding their Cattle, &c. praying Relief, for the Reasons mentioned.

Read and committed to Col. *Choate*, *Thomas Foster*, Esq; and Mr. *James Bowdoin*, to consider and report thereon.

Report of a Committee. The Committee appointed to examine the Province Treasurer's Accounts in the Recefs of the Court, reported ; which Report is signed *T. Hubbard*, per Order.

Which was read and accepted.

Then the House adjourn'd 'till to Morrow Morning ten o'Clock.

Ueneris 18. Die Octobris, A. D. 1754.

Easton Pre-cept return'd THE Select-Men of the Town of *Easton*, made Return of the Precept ordered by this House for the Choice of a Representative in the said Town, and that said Town had made Choice of no Person to represent them : Then the Question was put, *Whether a Fine should be imposed on the said Town for not sending a Representative ?* It pass'd in the Negative.

Petition of Select-Men of *Wenham*. A Petition of the Select Men of the Town of *Wenham*, praying that the Fine imposed on said Town of *ten Pounds* for not sending a Representative the last Year, may be remitted.

Read, and thereupon the Question was put, *Whether the Sum of ten Pounds should be paid out of the Province Treasury to the said Town of Wenham ?* It pass'd in the Negative.

Report on Petition of *Thomas Harlow* and others,

The Committee appointed on the Petition of *Thomas Harlow*, and others, as entred Yesterday, reported.

Read and accepted, and Ordered, That the Prayer of the Petitioners be granted, and that the Division made in the Life-time of the said *Eleazer*, with his Brothers *Thomas* and *Jonathan Harlow*, mentioned in the Petition, be confirmed and held good to all Intents and Purposes, as if Deeds of Partition had actually been passed by the Parties in the Life-time of the said *Eleazer*, and that the said *Thomas* and *Jonathan*, together with the Heirs of the said *Eleazer*, hold in Severalty by the Meets and Bounds mentioned in the Petition. Sent up for Concurrence.

[said]

A Petition of the Select Men of the Town of *Bridgewater*,
 praying that Part of the Province Tax laid the last Year on the
 said Town, may be laid on the Town of *Pembroke*, for the Rea-
 sons mentioned.

Petition of
 the Select-
 Men of
Bridgewater.

Read and *Ordered*, That the said Petition be committed to Col.
Clap, Major *Hawley*, and Col. *Winslow* ; and that they also con-
 sider the Circumstances of the Towns of *Hanover*, *Abington*, and
Hallifax, respecting their Province Taxes.

James Minot, Esq; brought down the Report of a Committee
 who were appointed to burn sundry Government Securities, which
 were in the Hands of the Treasurer. Signed *John Osborne*, per Order.
 Which was read.

Report of a
 Committee.

A Petition of the Agents of the first Parish in *Andover*, and o-
 thers, praying that the Heirs of *Benjamin Stevens*, Esq; deceased,
 may be impowered to convey to the said first Parish forty-five
 and an half Poles of Land on which their Meeting-House stands,
 which was entailed by said *Benjamin*, for the Reasons mentioned.

Petition of
 first Parish in
Andover.

Read and committed to Major *Hawley*, Col. *Fry*, and Col. *Choate*,
 to bring in a Bill for the Purposes mentioned in the Petition.

A Petition of *Edward Doten* and *Amariah Harlow*, Executors
 upon the Testament of *Elisha Doten*, late of *Plymouth*, deceased,
 praying for Liberty to make Sale of the Real Estate that the said
Elisha died seized of, for the Reasons mentioned.

Petition of
Edward Do-
ten & Amari-
ah Harlow.

Read and committed to Major *Stockbridge*, Mr. *Quincy*, and
 Col. *Bradford*, to consider and report thereon.

A Petition of the Select Men of the Town of *Rehoboth*, praying
 that *Ephraim Hunt*, may be impowred to collect Part of certain
 Rates in said Town &c. for the Reasons mentioned.

Petition of
 Select-Men
 of *Rehoboth*.

Read and committed to Col. *Otis*, Col. *Clap*, and Mr. *Hunt*,
 to consider and report thereon.

The Committee to whom was referred the Examination of
 the several County Treasurers Accounts, Reported upon the
 Accounts of the Treasurer for the County of *Plymouth*, that they
 are right cast and well vouched, and a Ballance due from *Edward*
Winslow, Esq; the Treasurer to the County of *Plymouth*, thirty three
Pounds fourteen Shillings & seven Pence half Penny, which he is
 to account for.

Report on
Plymouth
 County
 Treasurers
 Accounts.

Read and accepted, and *Ordered*, That the said Treasurer
 account for said Sum accordingly. Sent up for Concurrence.

A Petition of *Patrick Burne*, a Soldier wounded at *Cape-Breton*,
 praying for further Relief from this Court.

Petition of
Partrick
Burne.

Read and committed to Capt. *Newhall*, Capt. *Dodge*, and Mr.
William Bowdoin, to consider and report thereon.

Petition of
Select-Men
of Yarmouth.

A Petition of the Select Men of *Yarmouth*, praying that the Law made for the Preservation of the Meadows in said Town, which is near expiring, may be continued, with some Alterations. Read and committed to the Committee for reviving the Laws, to consider and report thereon.

Petition of
Mary Belknap.

A Petition of *Mary Belknap* of *Natick*, praying for Liberty to make Sale of the Real Estate her late Husband *Abraham Belknap* died seized of, for the Reasons mentioned. Read and committed to Mr. *Haven*, Mr. *Phineas Haywood*, and Capt. *Marcy*, to consider and report thereon.

Post Meridiem.

Petition of
Benjamin Job
bro't down.

Eleazer Porter, Esq; brought down the Petition of *Benjamin Job*, Indian of *Nantucket*. Pass'd in Council, viz. In Council October 18th 1754. Whereas *Roland Cotton*, Esq; one of the within mentioned Committee by Reason of Indisposition, is incapable of attending the Business thereof; Ordered, That *Sylvanus Bourn*, Esq; be one of said Committee in the Room of Col. *Cotton*, and that the Committee attend the Business, and make Report as soon as may be. Sent down for Concurrence.

Read and committed to the Committee appointed Yesterday to take under Consideration the Petition of the *Nantucket* Indians.

Message
from the
Board.

John Otis, Esq; came down with a Message from the honourable Board, to desire that the Petition of *Benjamin Job*, Indian of *Nantucket*, and Papers accompanying the same, might be sent up. Which was accordingly done.

John Wheelwright, Esq; brought down the Petition of *Benjamin Job*, with the Alteration on the Vote of the Board, viz. That *Benjamin Lincoln*, Esq; be of the Committee in the Room of Col. *Cotton*.

Message
from His
Excellency.

A Message from His Excellency the Governour by Mr. Secretary, viz.

Mr. Speaker, His Excellency directs the Attendance of this honourable House in the Council Chamber.

Mr. Speaker and the House went up accordingly; when his Excellency was pleased to make a SPEECH to both Houses: Of which Mr. Speaker obtained a Copy; and then with the House returned to their own Chamber.

Ordered, That the Consideration of his Excellency's SPEECH be referred 'till to Morrow Morning ten o'Clock.

Mr. Secretary brought down fundry Papers referred to in his Excellency's SPEECH; which were read.

Then the House adjourn'd 'till to Morrow Morning nine o'Clock.

Sabbati 19. Die Octobris, A. D. 1754.

A Petition of *Ephraim Dean* of *Taunton*, praying he may be allowed his Expences of Nurfing and Attendance of an Indian Woman, who died at his House, for the Reasons mentioned. Petition of
Ephr. Dean.

Read and committed to Col. *Clap*, Capt. *Livermore*, and Mr. *Tisdale*, to consider and report thereon.

A Petition of *George Watkins*, of *Sturbridge*, a Soldier in the Expedition at *Cape-Breton*, praying he may be allowed his extraordinary Charge in Sicknefs upon his Return to *Boston*, &c. for the Reasons mentioned. Petition of
Geo. Watkins

Read and committed to Col. *Richmond*, Col. *Choate*, and Capt. *Newhall*, to consider and report thereon.

A Petition of *John Wright*, and others, Inhabitants of a Township on *Kennebeck-River* below *Swan-Island*. praying that the said Inhabitants may be erected into a Township or District, for the Reasons mentioned. Petition of
John Wright.

Read and committed to Col. *Otis*, Col. *Clap*, Col. *Winslow*, Col. *Bradford*, and Col. *Fry*, to consider and report thereon.

A Petition of *Samuel Goodwin*, and others, Inhabitants of a Township on *Kennebeck-River*, called *Frankfort*, praying that the said Inhabitants may be erected into a Township or District, for the Reasons mentioned. Petition of
Samuel Goodwin, &c.

Read and committed to Col. *Otis*, Col. *Clap*, Col. *Winslow*, Col. *Bradford*, and Col. *Fry*, to consider and report thereon.

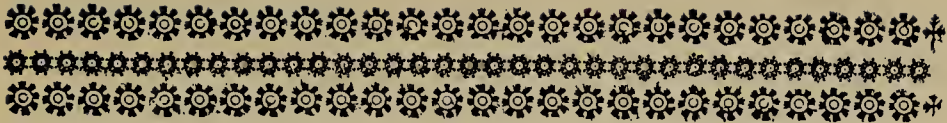
Ordered, That Mr. Speaker, Mr. *Welles*, Col. *Partridge*, Capt. *Tasker*, Col. *Choate*, Col. *Clap*, and Mr. *Quincy*, with such as the honourable Board shall join, be a Committee to make Answer to those Parts of his Excellency's SPEECH, which are directed to both Houses. Committee
on Govern-
nor's Speech
Sent up for Concurrence.

Mr. Secretary brought down the Journal of the Commissioners of the several Governments at the Congress at *Albany* in *June* last. Commissioners
Journal.

Ordered, That the Consideration of the Supply of the Treasury, be referred to Tuesday next three o'Clock Afternoon. Order on
Supply.

Then the House adjourned 'till Monday next three o'Clock Afternoon.





VOTES

Of the House of Representatives.



Lunæ 21. Die Octobris, A. D. 1754.

RESOLVED Petition of *Peleg Wiswall* of *Boston*, setting forth, that in the Year 1736, the Great and General Court were pleased to grant to the Heirs of *Ichabod Wiswall*, deceased, the Quantity of three Hundred Acres of the unappropriated Lands of the Province, and that the same was laid out, and a Plan returned, which is utterly consumed and lost; praying that he the Petitioner may be allowed to lay out the same a-new. Petition of *Peleg Wiswall*.

Read and committed to Col. *Brattle*, Mr. *Gibbs* of *Newton*, and and Mr. *William Bowdoin*, to consider and report thereon.

The Commissary-General was admitted into the House; and he laid on the Table an Estimate of the Charge due from the Province, and then withdrew. Estimate of Charges.

Ordered, That the Committee appointed for the Repairs of the Province-House, be directed to make a convenient Covert-Way from said House to the Street, that Persons may pass and repass dry in foul Weather. Committee directed.

Sent up for Concurrence.

A Petition of the Select Men of the Town of *Pelham*, praying the Aid of this Court for collecting the Arrears of certain Taxes in said Town, for the Reasons mentioned. Petition of the Select-Men of *Pelham*.

Read and committed to Major *Hawley*, *Nathanael Russell*, Esq; and Col. *Clap*, to consider and report thereon.

Petition of
Benj. Job.

John Wheelwright, Esq; brought down the Petition of *Benjamin Job, Indian of Nantucket*. Pass'd in Council, viz. In Council October 16th 1754. *Whereas Roland Cotton, Esq;* one of the within mentioned Committee, by Reason of Indisposition, is incapable of attending the Business thereof: Ordered, That *Benjamin Lincoln, Esq;* be one of said Committee in the Room of *Col. Cotton*, and that the Committee attend the Business, and make Report as soon as may be. Sent down for Concurrence.

Read and nonconcur'd, and Ordered, That *Gamaliel Bradford*, and *David Crocker, Esqrs;* with such as the honourable Board shall join, be a Committee for the Purposes mentioned in the Petition within referred to. Sent up for Concurrence.

Then the House adjourn'd 'till to Morrow Morning nine o'Clock.

Partis 22. Die Octobris, A. D. 1754.

MR. Speaker communicated a Letter from Mr. Agent *Bollan*, dated *Pall-Mall, Sept. 5th 1754*. Which was read.

Agent Bol-
lan's Letters
committed.

Ordered, That Mr. Agent *Bollan's* Letter of the 5th of *Sept.* last, with the Papers accompanying the same, be committed to the Committee appointed the 17th Instant, to take under Consideration Mr. *Bollan's* Letters, which were receiv'd in the Recess of the Court, and that they prepare and transmit as soon as may be, the Papers therein mentioned properly authenticated.

Sent up for Concurrence.

Petition of
Thomas Foster
Esq;

A Petition of *Thomas Foster, Esq;* of *Plymouth*, Administrator *de bonis non*, on the Estate of *Jonathan Briant*, late of *Plymouth*, deceased, praying for Liberty to make Sale of the Real Estate said *Jonathan* died seized of, for the Reasons mentioned.

Read and committed to *James Otis, Esq;* to draw a proper Vote thereon.

Petition of
first Parish in
Middleboro'.

A Petition of a Committee of the first Parish in *Middleborough*, praying that the Inhabitants of said Parish may be annexed to several other Parishes to attend publick Worship for the present, for the Reasons mentioned.

Read and Ordered, That *Thomas Foster* and *Thomas Clap, Esqrs;* with such as the honourable Board shall join, be a Committee to repair to *Middleborough*, hear the Petitioners, consider their Situation & Circumstances, and report what may be proper for this Court to do thereon.

Sent up for Concurrence.

Major Reed
of a Com-
mittee.

Ordered, That Major *Reed* be of the Committee on the Petition of *Isaac Nichols*, in the Room of *Col. Lawrence*, who is absent.

A

A Petition of *Samuel Muxam* & others, Inhabitants of *Rochester*, praying they may be set off from said Town, and annexed to the Town of *Wareham*, for the Reasons mentioned. Petition of *Samuel Muxam* &c.

Read and *Ordered*, That the Petitioners serve the Town of *Rochester* with a Copy of this Petition, that they shew Cause, if any they have, on the second Friday of the next Sitting of the Court, why the Prayer thereof should not be granted.

Sent up for Concurrence.

Mr. Secretary brought down an Extract of a Letter from the Right Honourable the Commissioners of Trade and Plantations, to his Excellency Governour SHIRLEY, dated *Whitehall, July 5th 1754*. Which was read. Extract of Letters bro't down.

Mr. Secretary also brought down an Extract of a Letter from Lt. Governour DELANCY, to his Excellency Governour SHIRLEY, dated *October 14th 1754*. respecting the *Dutch* Commissioners agreeing upon a Neutrality with the *Cagnawagas*.

Which was read.

A Bill Intituled *An Act for the better securing and rendring more effectual Grants and Donations to pious and charitable Uses, and for the better Support and Maintenance of Ministers of the Gospel, and defraying other Charges relating to the publick Worship*. Bill read and committed.

Read a second Time, and *Ordered*, That the Bill be committed to Col. Otis, Mr. Welles, Col. Brattle, Col. Saltonstall, & Capt. Tasker, to consider and report their Opinion thereon.

Mr. Secretary brought down an Extract of a Letter from Capt. Timothy Woodbridge of Stockbridge, to Col. John Worthington, dated *October 9th 1754*, relating to the Western Indians. Extract of Capt. Woodbridge's Letter.

Which was read.

The Minutes of the Commissioners at the Congress at *Albany* in *June* last, together with a Plan of Union of the several Governments, as proposed by said Commissioners, was read. Minutes of Commissioners.

Ordered, That Mr. Welles, Col. Choate, and Col. Partridge, with such as the honourable Board shall join, be a Committee to take under Consideration that Part of Lt. Governour DELANCY'S Letter which his Excellency has communicated to both Houses, and other Papers relative to the Western Indians, and the Frontiers there, and make Report as soon as may be. Committee on Gov. De Lancey's Letter.

Sent up for Concurrence.

Ordered, That Mr. Speaker, Judge Russell, Col. Brattle, Col. Choate, and Col. Otis, with such as the honourable Board shall join, be a Committee to take under Consideration the proposed Plan for a Union of the several Governments, as reported from the Commissioners at *Albany* in *June* last, and report what they judge proper for this Court to do thereon. Committee on a Plan of Union.

Sent up for Concurrence.

Post

Post Meridiem.

Petition of
first Precinct
in Middlebo-
rough bro't
down.

James Minoi, Esq; brought down the Petition of the Inhabitants of the first Parish in *Middleborough*. Pass'd in Council, viz. In Council *October* 22d 1754. Read and concur'd with the Amendment at A. and that *Samuel Watts*, Esq; be joined in the Affair. Sent down for Concurrence,

Read and concur'd with the further Amendment at B. viz. — *That the Committee (if upon hearing the Petition) judge it necessary, that then they repair to the Town of Middleborough, hear the Petitioners there, and consider their Circumstances; the Charge of the Committee to be born by the first Precinct in Middleborough.*

Sent up for Concurrence.

Excise Bill
sent for and
bro't down.

On a Motion made and seconded, *Ordered*, That the Bill granting an Excise unto his Majesty on Wines and Spirits distilled, sold by Retail or consumed within this Province &c. be sent for down.

The Deputy Secretary brought down the said Bill, and laid it on the Table.

Motion re-
specting the
Excise Bill.

A Motion was made and seconded, That the Returns from the several Towns respecting the Excise Bill which pass'd the two Houses the last Sitting, should be now taken under Consideration: And after a large Debate thereon, the Question was put,

Whether the said Returns should be considered?

It pass'd in the Negative.

Order there-
on.

Ordered, That the said Bill be taken under Consideration to Morrow Morning at ten of the Clock.

Then the House adjourn'd 'till to Morrow Morning nine o'Clock.

Mercurii 23. Die Octobris, A. D. 1754.

Petition of
Mary Burley
&c.

A Petition of *Mary Burley* of *Ipswich*, and *John Crocker* her Guardian, praying that this Court would enable the said *Mary* to convey her Part of a certain Farm called *Howlet's Farm*, for the Reasons mentioned.

Read and *Ordered*, That Col. *Brattle*, and Col. *Hale*, with such as the honourable Board shall join, be a Committee to take the said Petition, and Papers accompanying the same, under Consideration, and report what it may be proper for this Court to do thereon.

Sent up for Concurrence.

Petition of
*Jacob Chal-
com.*

A Petition of *Jacob Chalcom* of *Natick*, Indian, Planter, as entered *December* 8th 1753. and referred to this Sitting.

Read

Read and committed to Capt. *Marcy*, Capt. *Williams*, and Mr. *William Bowdoin*, to consider and report thereon.

A Petition of *Caleb Dodge* of *Beverly*, Administrator on the Estate of *Benjamin Dodge*, late of said *Beverly*, deceased, and Guardian to his Children, praying he may be impowred to convey a certain Tract of Land in *New-Marblehead*, to one *William Meaybery*, in order to fulfill a certain Covenant which the said *Benjamin Dodge*, in his Life-time entred into. Petition of *Caleb Dodge*.

Read and committed to Col. *Hale*, to draw a proper Vote thereon.

A Petition of *Jacob Cummings*, Agent for the Parish at *Ware-River*, in the County of *Hampshire*, praying that a Tax of *three half Pence* per Acre may be levied for three Years next coming, upon all the Lands in said Parish, for the Reasons mentioned. Petition of *Jacob Cummings*.

Read and Ordered, That the Petitioner serve the Non-resident Proprietors of *Ware-River* Parish with this Petition, by inserting the Substance thereof in one of the publick Prints three Weeks successively, that they shew Cause (if any they have) on the second Thursday of the next Sitting of this Court, why the Prayer thereof should not be granted.

Sent up for Concurrence.

The House, according to Order, took under Consideration the Bill granting an Excise upon Wines and spirituous Liquors, &c. Debate on Excise Bill. And after a large Debate had thereon, the further Consideration was referred to three o'Clock Afternoon.

The Committee appointed the 21st Instant on the Petition of *Peleg Wiswall*, reported.

Read and accepted, and Voted, That the Prayer of the Petition be so far granted, that three Hundred Acres of the unappropriated Lands of the Province adjoining to some former Grant, be and hereby is granted to the Heirs of Mr. *Ichabod Wiswall*, deceased, in said Petition mentioned, his Heirs and Assigns; and that they be allowed and impowered by a Surveyor and Chain-Men on Oath, to survey and lay out the same, and return a Plat thereof to this Court within twelve Months for Confirmation. Report on Petition of *Peleg Wiswall*.

Sent up for Concurrence.

Post Meridiem.

A Petition of *John Walker*, a Soldier at *Cape-Breton*, entred the 25th of *March* last, and referred to this Time. Petition of *John Walker*.

Read and committed to Judge *Russell*, Mr. *Jones*, and Mr. *Witt*, to consider and report thereon.

The House, according to Order, re-assumed the Consideration of laying an Excise on spirituous Liquors &c. Debate on Excise. And after a large Debate thereon,

R

Ordered,

Committee
for an Excise
Bill. *Ordered*, That Col. *Otis*, Judge *Russell*, Capt. *Tasker*, Col. *Hale*, Col. *Choate*, Col. *Brattle*, and Capt. *Williams*, be a Committee to bring in a Bill laying an Excise on all Spirits distilled within this Province ; as also an additional Duty of Impost on all spirituous Liquors imported.

Then the House adjourn'd 'till to Morrow Morning nine o'Clock.

Jovis 24. Die Octobris, A. D. 1754.

Petition of
first Parish
in *Brookfield*.

A Petition of fundry Inhabitants of the first Parish in *Brookfield*, setting forth the unwarrantable Proceedings of a major Part of said Parish in erecting a Meeting-House, and proceeding to cover the same ; also in pulling down the old Meeting-House in said Town, contrary to the Order of this Court, praying the Interposition of this Court.

Read and *Ordered*, That this Petition be committed to the Committee appointed in *April* last, to repair to *Brookfield* &c. to consider and report thereon. Sent up for Concurrence.

Petition of
Josiah Con-
verse, Esq;

A Petition of *Josiah Converse*, Esq; and others of *Brookfield*, praying a Petition they preferred to this Court in *December* last, may be revived, and that they may be freed from all Charges respecting the new Meeting-House which is in building, &c. for the Reasons mentioned.

Read and *Ordered*, That this Petition be committed to the Committee appointed in *April* last to repair to *Brookfield* &c. to consider and report thereon. Sent up for Concurrence.

Report on
Petition of
Tho. Foster,
Esq;

John Otis, Esq. according to Order, reported on the Petition of *Thomas Foster*, Esq; as entred the 22d Instant.

Read and accepted, and *Voted*, That the Prayer of the Petition be granted, and the Petitioner is hereby impowered to make Sale of the Real Estate of the said *Jonathan Briant*, deceased, for the Purpose within mentioned, and to execute a good Deed of the same, he attending the Rules of the Law relating to the Sale of such Estate, and to Account with the Judge of Probate for the County of *Plymouth* as to his Proceedings therein. Sent up for Concurrence.

Petition of
John Procter
&c.

A Petition of *John Procter*, and others, praying that *Philip Godfrid Kast*, Guardian to *Thomas Kast*, a Minor, may be enabled to join with them in making Sale of a certain Messuage and Tenement of Land in *Boston*, for the Reasons mentioned.

Read and committed to Capt. *Livermore*, Col. *Lawrence*, and Col. *Richards*, to consider and report thereon.

Petition of
Han. Whitten

A Petition of *Hannah Whitten*, Administratrix on the Estate of *Jonathan Whitten*, late of *Hingham*. deceased, praying that she may be

be impowered to make Sale of that Part of said *Jonathan Whitten's* Estate, set off to her as her Thirds, consisting of a House and two Acres of Land, for the Reasons mentioned.

Read and committed to Capt. *Livermore*, Col. *Lawrence*, and Col. *Richards*, to consider and report thereon.

A Petition of *John Weld* and others, living upon that Tract of Land called the *Country-Gore*, in the County of *Worcester*, praying they and their Estates may be annexed to the Town of *Sturbridge*, for the Reasons mentioned. Petition of *John Weld*.

Read and Ordered, That Col. *Brattle* prepare a proper Vote for the House to pass thereon.

A Petition of *Sarah Richardson*, of the District of *Pepperrell*, in the County of *Middlesex*, Administratrix on the Estate of her late Husband *Abiel Richardson*, deceased, praying she may be impowered to make Sale of the whole of the Real Estate, said *Abiel* died seized of, for the Reasons mentioned. Petition of *Sarah Richardson*.

Read and committed to Col. *Lawrence*, Col. *Clap*, and Mr. *Jonathan Foster*, to consider and report thereon.

A Petition of *Joseph Ramsdell* of *Hanover*, Administrator on the Estate of *David Ramsdell*, late of said *Hanover*, deceased, representing that the said *David* enlisted under Capt. *Rouse*, in the *Cape-Breton* Expedition, and with him went to *England*, and died before he received his Wages ; praying he may receive the same &c. Petition of *Joseph Ramsdell*.

Read and committed to Mr. *Bradbury*, Capt. *Newhall*, and Major *Reed*, to consider and report thereon.

A Complaint being made to the House, of a printed Pamphlet entitled, *A Monster of Monsters*, as reflecting on sundry Members of this House ; the said Pamphlet was laid on the Table, and having been read through : Resolves and Orders relating to a Pamphlet intitled, *The Monster of Monsters*.

Resolved, That the Pamphlet intitled, *The Monster of Monsters*, is a false scandalous Libel, reflecting upon the Proceedings of this House in general, and on many worthy Members in particular, in Breach of the Privileges thereof.

Ordered, That the said Pamphlet be burnt by the Hands of the common Hangman below the Court-House in King-Street, *Boston*, and that the Messenger of the House see the same carried into Execution.

Resolved, That the Messenger of the House do forthwith take into Custody *Daniel Fowle* of *Boston*, Printer, who they are informed was concerned in printing and publishing the said Pamphlet ; and that the Speaker issue his Warrant for that Purpose.

Daniel Fowle was brought into the House, and examined, and then was recommitted to their Messenger by Order of the House.

Joseph Russell, Apprentice to *Daniel Fowle*, was brought into the House, and examined relating to said Pamphlet.

Ordered,

Ordered, That *Daniel Fowle* be committed to the common Goal in the County of *Suffolk* ; and that the Speaker issue his Warrant accordingly.

Resolved, That the Messenger of the House do forthwith take into Custody *Zechariah Fowle*, Printer, and *Royall Tyler*, both of *Boston*, who they are informed were concerned in printing and publishing the Pamphlet, intituled *The Monster of Monsters* ; and that the Speaker issue his Warrant for that Purpose.

Royall Tyler was brought before the House : Mr. Speaker examined him, whether he had been concerned in printing and publishing said Pamphlet ? Thereupon said *Tyler* moved for Council.

Which the House took into Consideration, and determined that it was not convenient to allow him Council ; of which Mr. Speaker informed him.

Then Mr. Speaker again examined him relating to said Pamphlet, and the only Answer he would make was, *Nemo tenetur seipsum Accusare* ; or, A Right of Silence was the Priviledge of every Englishman.

Whereupon he was ordered to remain in the Custody of the House : Then the said *Tyler* moved he might be admitted to Bail ; the Messenger of the House was ordered to withdraw with said *Tyler*.

Then the Question was put, *Whether the said Request of Mr. Tyler is compatable with the Means the House are taking to discover the Authors of the said Pamphlet ?* It pass'd in the Negative.

Order on
Petition of
Moody Russell *Ordered*, That the Petition of *Moodey Russell*, which by Order of this Court was to be considered the second Wednesday of the present Sitting, be taken under Consideration the 13th of *November* next, if the Court be then Sitting, if not, the second Wednesday of the next Sitting of this Court. Sent up for Concurrence.

Petition of
Anth. Loney. A Petition of *Anthony Loney* of *Ipswich*, praying this Court would stay the Execution of *Margaret Perkins* against him, for the Reasons mentioned.

Read and *Ordered*, That the Petitioner serve the adverse Party *Benj. Dutch* with a Copy of this Petition, that she shew Cause, if any she have, on the fifth of *Nov.* next, why the Prayer thereof should not be granted, and that the said Execution be stayed in the mean Time, provided said *Anthony* give sufficient Bond, with Sureties, to the Sheriff of the County of *Essex*, to pay what may finally appear due to said *Margaret*. Sent up for Concurrence.

Petition of
Jos. Craige. A Petition of *Joseph Craige* of *Rutland*, praying he may be allowed the Sum of *two Pounds ten Shillings and eight Pence*, which Sum he advanced for his Brother *William Craige* when he was a Soldier in the Province Service and sick, of which Sickness he died.

Read and committed to Mr. *Murray*, Mr. *Stevens*, and Mr. *Gibbs* of *Newton*, to consider and report thereon.

A Petition of *Nelson Finney*, as entred the 30th of *March* last, and referred to this Time. Read and committed to *Joseph Richards*, Esq; Col. *Fry*, and Col. *Dwight*, to consider and report thereon.

Petition of
Nelson Finney

John Otis, Esq; brought down the Petition of a Committee of the second Precinct in *Wrentham*. Pass'd in Council, viz. In Council *October* 24th 1754. On a Motion made on Behalf of the Inhabitants of the Town of *Wrentham*, that they may have a Time allowed them to make Answer to this Petition, Voted, That the said Inhabitants be allowed to make Answer thereto on Friday the first Day of *November* next; and the Consideration of said Petition is put off to that Time accordingly.

Petition of
Wrentham
second Pre-
cinct bro't
down.

Sent down for Concurrence. Read and concur'd.

The Committee appointed on the Petition of *Edward Doten* and *Amariah Harlow*, as entred the 18th Instant, reported.

Report on
Petition of
Edw. Doten.

Read and accepted, and Ordered, That the Prayer of the Petition be so far granted, as that the Petitioners in their Capacity be and hereby are impowered to make Sale of the Real Estate in the Petition mentioned, for the most the same will fetch, and to execute a good Deed or Deeds of the same, they observing the Directions of the Law respecting the Sale of Real Estates; provided that *Paul Doten*, *James Doten*, and *Stephen Doten*, three of the Children of *Elisha Doten*, deceased, who are of Age, give their Consent to the Sale of said Estate, and that the Petitioners give Caution to the Judge of Probates for the County of *Plymouth*, that the Proceeds arising by said Sale be distributed to the Heirs of *Elisha Doten*, deceased, in such Shares as is mentioned in the last Will and Testament of the said Deceased. Sent up for Concurrence.

A Petition of *Nathanael Russell*, Esq; of *Littleton*, setting forth that he was at the Expence of the Funeral of one *Stephen Corey*, a Soldier in the late Expedition to *Kennebeck*, who died in *Boston* on his Return, said Expence amounting to the Sum of *thirty seven Shillings and one Penny*, praying he may be allowed the same.

Petition of
Nath. Russell,
Esq;

Read and Voted, That the Prayer of the Petition be granted, and that the Petitioner be paid out of the publick Treasury the Sum of *thirty seven Shillings and one Penny*, in Discharge of said Account.

Sent up for Concurrence.

A Petition of *Abiel Stevens*, Jun. of *Andover*, Administratrix on the Estate of *David Stevens*, late of said *Andover*, deceased, praying he may be impowered to make Sale of the whole of the Real Estate the said *David* died seized of, for the Reasons mentioned.

Petition of
Abiel Stevens.

Read and committed to Col. *Saltonstall*, Capt. *Newhall*, and Col. *Fry*, to consider and report thereon.

The Committee appointed on the Petition of *Jacob Chalcom*, Indian of *Natick*, reported.

Report on
Petition of
Jacob Chal-
com, Indian.

Read and accepted, and *Voted*, That the Prayer of the Petition be granted, and that the Petitioner have Liberty to sell so much of his out-Lands as, shall be needful for the Purposes mentioned in the Petition ; and also have Liberty to exchange the remaining Part of his small Pieces of remote Land for such other Land as may be nearer, and better accommodate his Homestead, with the Assistance and under the special Direction of the Guardians of the *Natick* Indians.

Sent up for Concurrence.

Order on
the last Tax
Act.

Whereas it hath been represented to this House, that in the last Tax Bill proper Care was not taken to set to several Districts their proportionable Part of the Representatives Pay in the several Towns from whence the said Districts were taken :

Therefore *Ordered*, That Col. *Lawrence*, Col. *Clap*, and Col. *Richards*, be a Committee to draw up a proper Resolve to remedy the said Difficulty.

Vote on
Petition of
the Select
Men of *Pel-*
ham.

The Committee appointed on the Petition of the Select Men of *Pelham*, as entered the 21st of *October* Instant, reported.

Read and accepted, and *Voted*, That the Constables and Collectors for said Town of all and every the Assessments, whether Province Town or County, who have been chosen and sworn to those Offices in said Town, either in the Month of *March* 1750, or in any other Year since, before the Month of *March* last, and who have not finished and perfected their Collections of the Sum total of the several Assessments which within that Time have been made of any Sum lawfully ordered set and granted to be assessed on the Inhabitants of said Town, and assessed by the Assessors who had taken the Assessors Oath, be and hereby are impowered to finish and perfect their Collections of all such Assessments, and to enforce the Payment of all such Sums in which particular Persons are and have been assessed in said Assessments which yet remain unpaid, by all such Ways and Methods as Constables and Collectors of Taxes in all Respects qualified are impowered to do by Law ; and that said Constables and Collectors of *Pelham* shall be accountable to the Province Treasurer, Treasurer of the County of *Hampshire*, and Treasurer of the Town of *Pelham* for the Time being respectively, for all the respective Sums which have been or shall be collected by them on Province, Town and County Assessments ; and shall be compelled and obliged to pay in all such Sums to said Treasurers respectively to whom they are due by all such Ways and Means as qualified Constables and Collectors may by Law be obliged to do. And it is further ordered that the Surveyor of Ways for said Town in the Year 1750, and in each succeeding Year since, shall render to the Surveyor of Ways in said Town for the Time being, a true Account of all those Persons who did not do and perform their proportionable Part of Work at making and maintaining Ways in said Town, during the Time that the Surveyors of Ways for said Town were not qualified by taking the Oath required by Law respecting the Bills of Credit of the neighbouring Governments ; and said Surveyors for the Time being, are

are hereby directed and impowered to order and oblige all such Persons as in that Time neglected to do their Proportion of Work at the Ways, in the first Place to do and perform so much Work at the Ways in said Town as shall be equal to the whole of each respective Poll's Proportion thro' the whole Time aforesaid, which Work such Persons have neglected to perform, before they shall proceed to notify and order the Inhabitants of said Town in general to begin and enter on a Course of Work at the Ways to be performed in a legal Proportion by all the Inhabitants of said Town, without any Respect to former Defects of any of said Inhabitants.

Sent up for Concurrence.

Then the House adjourn'd 'till to Morrow Morning nine o'Clock.

Veneris 25. Die Octobris, A. D. 1754.

A Petition of the Select Men of *Dunstable*, setting forth the Difficulties they labour under in said Town, by Reason of some Imperfection in the Warrants committed to a Constable in said Town for collecting certain Rates, praying the Aid of this Court, &c.

Petition of
Select Men
of *Dunstable*.

Read and committed to Col. *Saltonstall*, Col. *Choate*, and Capt. *Williams*, to consider and report thereon.

The Committee appointed on the Petition of *John Weld* and others, as entered the 24th Instant, reported.

Report on
Petition of
of *John Weld*.

Read and accepted, and *Voted*, That the Prayer of the Petition be granted, and that the Petitioners, with the Lands in the Petition mentioned, being one Mile and one Quarter in Length, running East from *Oxford* North West Corner upon *Oxford* Line, then running a North Line to *Brookfield* South Line, be and hereby is annexed to and made Part of the Town of *Sturbridge*, there in every Respect to do Duty and receive Privilege.

Sent up for Concurrence.

The Committee appointed to examine the several County Treasurers Accompts, reported on the 'Treasurer's Accompts for the County of *York*, that they are right cast, well vouched, and a Balance of *thirty three Pounds sixteen Shillings and five Pence* due from *Jeremiah Moulton* the County Treasurer for said County.

Report on
York County
Treasurer's
Accompt.

Read and accepted, and *Ordered*, That the said *Jeremiah Moulton*, the County Treasurer, be further accountable to said County for the said Sum of *thirty three Pounds sixteen Shillings and five Pence*.

Sent up for Concurrence.

Resolved, That the House will now take under Consideration the Affair of *Daniel Fowle*, now in His Majesty's Goal.

Resolves relating to a
Pamphlet.

Resolved, That it appears to this House, that *Daniel Fowle* has been concerned in publishing a scandalous Pamphlet entitled, *The Monster of Monsters*; in which the House are greatly reflected on in Breach of their Privilege.

The

Report on
Petition of
Geo. Watkins. The Committee on the Petition of *George Watkins.* as entred the 19th Instant, reported.

Read and accepted, and *Voted*, That there be allowed and paid out of the publick Treasury the Sum of *forty Shillings* Lawful Money, in full for what he paid his Nurse, and other Expences &c. during his Sicknes in the Town of *Boston*, exclusive of what he has already received. Sent up for Concurrence.

Post Meridiem.

Order on Pe-
tition of *Caleb Dodge.* Col. *Hale*, according to Order, reported on the Petition of *Caleb Dodge*, entred the 23d Instant.

Read and accepted, and *Ordered*, That the Prayer of the Petition be so far granted, as that the Petitioner *Caleb Dodge*, be and hereby is fully authorized and impowered to make and execute to *Wm. Meaybery* mentioned in the Petition a good & sufficient Deed in the Law of two ten Acre Lots mentioned in the Petition, on his the said *Meaybery's* producing to said *Dodge* full & sufficient Proof of his having performed the Conditions of the Grant of the General Court as stipulated in the Covenant between *Benjamin Dodge* and the said *Meaybery*, and also give sufficient Caution to said *Caleb Dodge* Administrator and Guardian, that said *Meaybery* his Heirs and Assigns, shall also continue to pay the Ministerial Charges mentioned in the Covenant referred to in the Petition. Sent up for Concurrence.

Report on
Petition of
Jos. Craige. The Committee appointed on the Petition of *Joseph Craige*, as entred Yesterday, reported.

Read and accepted, and *Ordered*, That the Sum of *two Pounds ten Shillings and eight Pence*, Lawful Money, be paid out of the publick Treasury to the Petitioner, in full for the Expences mentioned in the Petition. Sent up for Concurrence.

The Comittee appointed on the Petition of *Ephraim Dean*, as entred the 19th Instant, reported.

Read and not accepted, and *Ordered*, That the Petition be dismiss'd.

Then the House adjourn'd 'till to Morrow Morning nine o'Clock.

Sabbati 26. Die Octobris, A. D. 1754.

Petition of
Benj. Newhall **A** Petition of Mr. *Benjamin Newhall*, in the Name and Behalf of the Select Men of *Lynn*, representing that two Innholders in said Town since the last Term for granting Licences in the County of *Essex*, are removed by Death, praying the next Court of Sessions for said County, may be impowered to Licence some suitable Person to be an Innholder in said Town.

Read and *Ordered*, That the Court of General Sessions of the Peace for the County of *Essex* at their next Term, be allowed and impowered to Licence some suitable Person to be an Innholder in *Lynn*, being approbated by the Select Men of said Town, the Time for granting Licences being elapsed notwithstanding.

Sent up for Concurrence.

George

George Leonard, Esq; brought down the Petition of *John Caldwell*. Pass'd in Council, viz. In Council *October 25th 1754*. Read again, together with the Answer of *Jonas Clarke*, Esq; Proprietors Clerk, and Ordered, That *Benjamin Lynde* and *Eleazer Porter*, Esqrs; with such as the honourable House shall join, be a Committee to hear the Parties, consider the Petition and Answer thereto, and report what they judge proper for the Court to do thereon.

Order on
Petition of
John Caldwell.

Sent down for Concurrence.

Read and concur'd, and Col. *Brattle*, Capt. *Marcy*, and Mr. *Gibbs* of *Newton*, are joined in the Affair.

Ordered, That Col. *Dwight* and Major *Hawley*, be added to the Committee appointed to prepare an Excise Bill, and that the said Committee be directed to sit Monday next three o'Clock Afternoon.

Committee
on Excise
Bill.

A Petition of *John Graton* of *Roxbury*, praying he may be allowed to Recognize as an Innholder in said Town, which he casually omitted &c. for the Reasons mentioned.

Petition of
John Graton.

Read and Ordered, That the Prayer of the Petition be granted, and that the Court of General Sessions of the Peace for the County of *Suffolk* at their next Sitting, be allowed and empowered to take proper Recognizances of said *Graton* as Innholder in said Town, the Time being elapsed notwithstanding.

Sent up for Concurrence.

The Messenger of the House informed the Speaker, that *Royall Tyler* requested that he might appear before the House before they adjourned :

Royall Tyler
admitted in-
to the House,
&c.

He was accordingly admitted into the House, and represented that his Family was in distressed Circumstances, and prayed he might be admitted to Bail.

Whereupon Mr. Speaker, by Order of the House, declared to him, He might return to his Family, provided he gave his Word of Honour to the House, he would be forth-coming when by them required : Which he accordingly did, and then withdrew.

Then the House adjourn'd 'till Tuesday next ten o'Clock in the Forenoon.





VOTES

Of the House of Representatives.



Martis 29. Die Octobris, A. D. 1754.

THE Committee appointed on the Petition of *Sarah Richardson*, as entred the 24th Instant, reported.

Report on
Petition of
*Sarah Ri-
chardson.*

Read and accepted, and *Ordered*, That the Prayer of the Petition be granted, and that the Petitioner be and hereby is impowered to make Sale of the Lands and Building mentioned in the Petition, to such Person or Persons as shall appear to give most for the same, and to execute a good and sufficient Deed or Deeds in the Law, she observing the Rules in the Law for the Sale of Intestate Estates, and giving proper Caution to the Judge of Probate for the County of *Middlesex*, to pay the Deceased's just Debts, and the Remainder to the Guardian of the Children of the Petitioner for their Use.

Sent up for Concurrence.

A Petition of *Barnabas Freeman* and *Jabez Snow*, Agents of the Town of *Harwich*, praying that the said Town may be enabled to make Choice of a Constable, for the Reasons mentioned.

Petition of
*Barnabas
Freeman.*

Read and *Ordered*, That Col. *Otis* be directed to draw a proper Vote on said Petition.

The Secretary brought down fundry Papers referred to in Lt. Governour DE LANCEY's Letter to His Excellency Governour SHIRLEY, which he laid on the Table.

Lt. Gov. *De
Lancey's Let-
ter.*

Post Meridiem.

Ordered, That Col. *Choate* go up to the honourable Board, to enquire whether the several Deserters from *Ohio* now in *Boston*, have been had under Examination before the honourable Board; and if so, to send down the Papers relating thereto.

Message to
the Board.

Who returned, that he had delivered the Message, and was informed, that said Deserters had not been examined before the Council, and consequently they had no Papers relating thereto.

Isaac Royall, Esq; brought down a Vote passed in Council *October 25th 1754.*

Order relating to French Deserters.

Whereas divers Frenchmen Deserters from the Forces on the Ohio, and others, have travelled from the Southern Colonies into this Province, in order (as they pretend) to take their Passage for Europe, and more of said Deserters and other Foreigners in the like Circumstances, may come to the Town of Boston for the same Purposes, by which Means without due Care great Charge will arise to the Province :

Ordered, That the Select Men of the Town of *Boston* do from Time to Time make Inquiry respecting such Deserters and other Foreigners in like Circumstances, and take the best Measures they can to prevent as far as may be, any Charge arising to the Province thereby.

Sent down for Concurrence.

Read and non-concur'd.

Committee to make Inquiry.

Ordered, That *Mr. Welles, Col. Choate, and Mr. Tasker,* be a Committee to make Enquiry of certain Frenchmen now in *Boston* (said to be Deserters from the French at *Ohio*) from whence they came, and whether they are proceeding, and what their Business is in this Province, and make Report as soon as may be.

Petition of *Tho. Torrey &c.*

A Petition of *Thomas Torrey and Isaac Thomas,* both of *Plymouth,* praying that the Award made by certain Referrees, appointed in a Cause between the Petitioners and *Robert Brown, Esq;* may be set aside, for the Reasons mentioned.

Read and *Ordered,* That the Petitioners serve the adverse Party *Robert Brown, Esq;* with a Copy of this Petition, that he shew Cause, (if any he have) on the 7th of *November* next, if the Court be then Sitting, if not, on the first Friday of the next Sitting of the Court, why the Prayer thereof should not be granted.

Sent up for Concurrence.

Dan. Fowle bro't to the Bar of the House, Reprimanded, & discharged.

Ordered, That *Daniel Fowle* be brought to the Bar of the House, and Reprimanded by the Speaker, for his publishing a scandalous Libel, called *The Monster of Monsters,* greatly reflecting upon the Honour of this House ; and then be discharged, paying Costs.

The said *Daniel Fowle* was accordingly brought to the Bar of the House, and Reprimanded by the Speaker.

Ordered, That Mr. Speaker issue his Warrant to the Keeper of His Majesty's Goal in the County of *Suffolk,* to discharge the said *Daniel Fowle* upon his paying Costs. Which was issued by Mr. Speaker accordingly.

Petition of Inhabitants of *Springfield* bro't down.

John Hill, Esq; brought down the Petition of sundry Inhabitants of the Town of *Springfield.* Pass'd in Council, viz. In Council *October 29th 1754.* Read again, together with the Answer of the second

second Parish in *Springfield*, and *Ordered*, That *George Leonard*, and *Eleazer Porter*, Esqrs; with such as the honourable House shall join, be a Committee to take this Petition, and Papers accompanying the same, under Consideration, to hear the Parties, and report what they judge proper for this Court to do thereon.

Sent down for Concurrence.

Read and concur'd, and Mr. *Stevens*, Capt. *Richardson*, and Capt. *Ayres*, are joined in the Affair.

A Petition of *John Champney* of *Dorchester*, praying that the Court of General Sessions of the Peace for the County of *Suffolk*, may be impowered to Licence him an Innholder in said Town, for the Reasons mentioned. Petition of *John Champney*.

Read and *Ordered*, That the Prayer of the Petition be granted, and that the Court of General Sessions of the Peace for the County of *Suffolk* at the Time to which it stands adjourned, be impowred (if they see fit) to Licence the Petitioner to be an Innholder in the Town of *Dorchester*, he obtaining the Approbation of the Select Men of said Town, the Time for granting of Licences being elapsed notwithstanding.

Sent up for Concurrence.

A Petition of *Alexander Ross* of *Falmouth* in the County of *York*, praying that the Court of General Sessions of the Peace in said County, may be impowered to Licence him a Retailer of spirituous Liquors, for the Reasons mentioned. Petition of *Alexander Ross*.

Read and *Ordered*, That the Prayer of the Petition be granted, and that the Court of Sessions of the Peace for the County of *York*, at their next Term, be impowred (if they see fit) to Licence the Petitioner to be a Retailer of spirituous Liquors in said Town of *Falmouth*, he first obtaining the Approbation of the Select Men of said Town, the Time for granting Licences being elapsed notwithstanding.

Sent up for Concurrence.

A Petition of *John Noyce*, *Daniel Talbot*, and *Eleazer Robins*, all of *Stoughton*, in the County of *Suffolk*, praying that the Court of General Sessions of the Peace for said County, may be enabled to grant Licence to the Petitioners to be Innholders in said Town, for the Reasons mentioned. Petition of *John Noyce* &c.

Read and *Ordered*, That the Prayer of the Petition be granted, and that the Court of General Sessions of the Peace for said County at the Time to which said Court stand adjourned, be impowered (if they see fit) to grant Licence to the Petitioners to be Innholders in the Town of *Stoughton*, they first obtaining the Approbation of the Select Men of said Town, the Time for granting Licences being elapsed notwithstanding.

Sent up for Concurrence.

John Hill, Esq; brought down the Petition of *William Manning* and *Enoch Kidder*, both of *Billerica* in the County of *Middlesex*, Guardians to *Thomas* and *Elijah Danforth*. Pass'd in Council, viz. In Council *October* 26th 1754. Read and *Ordered*, That the Prayer of the Petition be granted, and the Petitioners in their said Capacity Petition of *Wm. Manning* &c.

Capacity, are hereby allowed and impowered to make Sale of so much of the out-Lands, and of the Thirds within-mentioned, as shall be sufficient for the Purpose mentioned in the Petition, and to execute in due Form of Law, a Deed or Deeds for the Conveyance thereof, to such Person or Persons as shall give most for the same; provided the Petitioners before such Sale be made do observe the Directions of the Province Law relating to Executors or Administrators selling Real Estates, and give sufficient Security to the Judge of Probate of Wills for the County of *Middlesex*, that the Produce of the Premises shall be disposed of agreeable to Law.

Sent down for Concurrence. Read and concur'd.

Petition of
Abigail Sartell.

A Petition of *Abigail Sartell* of *Groton* in the County of *Middlesex*, Administratrix upon the Estate of her late Husband *Zechariah Sartell*, late of *Groton*, Deceased, praying she may be impowered to make Sale of the whole of the Real Estate the said *Zechariah* died seized of, for the Reasons mentioned.

Read and committed to Col. *Lawrence*, Col. *Dwight*, and Col. *Storer*, to consider and report thereon.

Petition of
Ichabod Goodwin.

A Petition of *Ichabod Goodwin* and *Hannah Ayres*, Administrators of the Estate of *James Scammon*, late of *Biddeford*, Deceased, praying for Liberty to make Sale of the whole of the Real Estate the said *James* died seized of, for the Reasons mentioned.

Read and committed to Col. *Storer*, Col. *Clap*, and *Caleb Cushing*, Esq; to consider and report thereon.

Then the House adjourn'd 'till to Morrow Morning nine o'Clock.

Mercurii 30. Die Octobris, A. D. 1754.

Treasurer
directed.

ON a Motion made and seconded, *Ordered*, That the Province Treasurer provide a good Beam and Scales, and a Nest of Troy Weights from one Hundred and twenty eight Ounces and downwards to the least Denomination, marked with the Mark or Stamp used in his Majesty's Exchequer, for a publick Standard.

Sent up for Concurrence.

Petition of
James Whitcomb.

A Petition of *James Whitcomb*, Agent to the Proprietors of *Narragansett* Number *Four*, in the County of *Hampshire*, praying that this Court would appoint a Committee to run the dividing Line between said *Narragansett* Number *Four*, and the Town of *Hardwick*, for the Reasons mentioned.

Read and committed to Capt. *Williams*, Mr. *Fletcher*, and Mr. *Sever*, to consider and report thereon.

Ordered, That the Sum of *three Hundred Pounds* be advanced and applied by the Commissary-General out of the Truck Trade, as a Present to the *Penobscot* and *Norridgewalk* Tribes of Indians.

Sent up for Concurrence.

John

John Hill, Esq; brought down the Draft of an Answer to his Excellency's SPEECH of the 18th Currant, reported by the Committee. Pass'd in Council, viz. In Council *October* 26th 1754. Read and accepted with the Amendment at A ; and Ordered, That *Samuel Danforth* and *Stephen Sewall*, Esqrs; with such as the honourable House of Representatives shall join, be a Committee to present to his Excellency, the foregoing Answer to his SPEECH.

Draft of an Answer to Gov. Speech bro't down.

Sent down for Concurrence.

Read and concur'd with the further Amendments at A, B, C, D, E, F, G, & H ; and Col. *Saltonstall*, Judge *Russell*, and Col. *Otis*, are joined in the Affair.

A Petition of *Nicholas Sever*, Esq; of *Kingston*, praying this Court would confirm a certain Deed made by *James Thomas* of *Teticut*, Indian Man, as it appears on Record, for the Reasons mentioned.

Petition of Nich. Sever, Esq;

Read and committed to Col. *Hale*, Col. *Ghoate*, and Col. *Clap*, to consider and report thereon.

Whereas divers of the Justices of the Courts of General Session of the Peace and Inferiour Court of Common Pleas which by Law are to be held at Northampton in the County of Hampshire on the second Tuesday of November next, are Members of this Court, and the important Affairs of the Province require their Attendance thereon :

Adjournment of Hampshire Court.

Wherefore Ordered, That the said Courts be Adjourned to the second Tuesday of February next, and that all Matters and Things that might have Day at said Courts on the said second Tuesday of November, shall be heard and tried on the said second Tuesday of February ; and that all Officers and other Persons concerned in said Courts conform themselves accordingly.

Sent up for Concurrence.

The Deputy Secretary came down with a Message from His Excellency the Governour. Which he read and laid on the Table. Which is as follows, viz.

Message from His Excellency.

Gentlemen of the Council and House of Representatives,
THere is an Indian now in Town that deserted from the French and Indian Army upon Ohio, who ought to be put under some Government and Inspection, while he is here, therefore I desire your Advice upon this Matter.

W. SHIRLEY.

October 30. 1754.

Ordered, That the said Message be considered at three o'Clock Afternoon.

A Petition of *Eleazer Tyng*, and others, Inhabitants of *Dunstable*, praying that the said Town may be notified with a Copy of a Petition preferred to this Court by the Select Men of *Dunstable*, for the Reasons mentioned.

Petition of Eleazer Tyng.

Read and committed to Col. *Saltonstall*, Col. *Choate*, and Capt. *Williams*, to consider and report thereon.

Post Meridiem.

Petition of
Judith Ri-
chardson.

A Petition of *Judith Richardson*, Administratrix on the Estate of *Josiah Richardson*, late of *Billerica*, deceased, praying she may be impowred to make Sale of Part of the out-Lands belonging to the Heirs of the said *Josiah*, for the Reasons mentioned.

Read and committed to Capt. *Livermore*, Mr. *William Bowdoin*, and Col. *Miller*, to consider and report thereon.

Petition of
Tho. Brown.

A Petition of *Thomas Brown* and others, Proprietors of a certain Tract of Land called *Wenham-Great-Swamp*, lying partly in *Ipswich* and partly in *Wenham*, praying the Aid of this Court, to empower the said Proprietors to enclose the same, for the Reasons mentioned.

Read and committed to Col. *Bradford*, Col. *Hale*, and Major *Hawley*, to consider and report thereon.

Committee
directed.

Ordered, That the Committee appointed this Session to consider the Petitions of sundry Persons for the Incorporation of two Townships on *Kennebeck River*, be directed not to proceed on said Affair until the Petition of sundry Persons relative thereto, be laid before this House.

Committee
on the Gov.
Message.

The House, according to Order, took under Consideration His Excellency's Message of the Forenoon ; and after a Debate thereon, *Ordered*, That Mr. *Welles*, Col. *Choate*, and Mr. *Tasler*, with such as the honourable Board shall join, be a Committee to take under Consideration said Message, and report what it may be proper for the Court to do thereon.

Petition of
Rich. Smith.

A Petition of *Richard Smith* of *Roxbury*, praying he may be allowed and impowred to bring forward in the Law a-new his Action with *Thomas Speakman*, for the Reasons mentioned.

Read and *Ordered*, That the Petitioner serve the adverse Party *Thomas Speakman* with a Copy of this Petition, that he shew Cause (if any he have) on the sixth Day of *November* next, why the Prayer thereof should not be granted. Sent up for Concurrence.

Petition of
John Calef.

A Petition of *John Calef* of *Ipswich*, praying that he may be enabled to file his Reasons, and bring forward his Appeal from a Decree of the Judge of Probate for the County of *Essex*, the Time being elapsed notwithstanding.

Read and *Ordered*, That the Petitioner serve the adverse Parties *Joseph Calef* and *Mary Staniford*, with a Copy of this Petition, that they shew Cause (if any they have) on the seventh of *November* next, why the Prayer thereof should not be granted.

Sent up for Concurrence.

Report on
Petition of
Tho. Brown.

The Committee appointed on the Petition of *Thomas Brown*, and others, as entred this Day, reported, That the Petitioner be allowed to bring in a Bill for the Purposes mentioned in the Petition.

Read and *Ordered*, That the Petitioners be allowed to bring in a Bill accordingly.

A Petition of the Inhabitants of the Precinct called *Taunton and Middleborough* Precinct, praying they may be erected into a Township or District, and be annexed to the County of *Bristol*. Petition of Inhabitants of *Taunton & Middleboro'*
 Read and *Ordered*, That the Petition be dismissed.

The Committee appointed on the Petition of *Isaac Nichols*, and others, as entered the first of *June* last, and referred, reported, Report on Petition of *Isaac Norris*.

Read and accepted, and *Ordered*, That the Prayer of the Petition be so far granted, as that the said *Isaac* in his said Capacity be and hereby is impowred to make Sale of the Real Estate therein mentioned, for the most the same will fetch, and to execute in due Form of Law a good Deed or Deeds of the same, he observing the Direction of the Law respecting the Sale of Real Estates, and out of the Proceeds of said Sale to pay the just Legacies in said Will bequeathed still due and unpaid, and that the Overplus arising by said Sale be by the said *Isaac* put out to Interest, one third Part of said Interest to be paid unto the Widow within mentioned annually, upon this Condition only, that she by a Marriage Covenant, or otherwise, hath not barred herself of her Right of Dower to said Estate, the other two Thirds of said Interest to be applied to and for the Support and Maintenance of the said *Elizabeth & Ruth Wilkins*, Persons *Non Compos*, and that the said *Isaac* give Caution to the Judge of Probate for the County of *Essex*, that the same shall be apply'd accordingly; and that the Remainder of said Estate (after the Death of the said *Elizabeth* and *Ruth*,) shall be divided among those unto whom by said Will the said Real Estate would have descended had not the same been sold.

Sent up for Concurrence.

A Petition of sundry Inhabitants of the Town of *Watertown*, praying the Interposition of this Court respecting the said Town's pulling down their Meeting House, and erecting a new one &c. Petition of Inhabitants of *Watertown*
 for the Reasons mentioned.

Read, and after a large Debate thereon, *Ordered*, That the Petition be dismissed.

A Petition of *Elisha Mason, Nicholas Thomas*, and *John Anthony*, Agents of the Town of *Swanzey*, praying they may be enabled to make Sale of the School-Land in said Town, for the Reasons mentioned. Petition of *Elisha Mason &c.*

Read and *Ordered*, That *Col. Clap, Col. Richmond*, and *Mr. Quincy*, draw a proper Vote for the House to pass thereon.

A Petition of *Benjamin Pomroy*, a Soldier in the Expedition against *Cape Breton*, praying he may be allowed a Pension from the Government, for the Reasons mentioned. Petition of *Benj. Pomroy*.

Read and committed to *Mr. Witt, Mr. Powell*, and *Col. Clap*, to consider and report thereon.

A Petition of *Henry Young Brown* of *Haverhill*, in the County of *Essex*, praying the Justices of the Court of Sessions may be im- Petition of *Henry Young Brown*.
 powered

powered to Licence him an Innholder in the House he now lives, for the Reasons mentioned.

Read and *Ordered*, That the Prayer of the Petition be so far granted, that the Justices of the Court of General Sessions of the Peace for the County of *Essex* at their next Term, be impowered (if they see fit) to Licence the Petitioner to keep a House of publick Entertainment in the House he now dwells, provided he first obtain the Approbation of the Select Men of said Town, the Time for granting Licences being elapsed notwithstanding; provided also, it appears to the Justices of said Court that *Simeon Brown* who was licensed an Innholder in said House the last Year, has duly paid his Excise to the Farmer. Sent up for Concurrence.

Then the House adjourn'd 'till to Morrow Morning nine o'Clock.

Jovis 31. Die Octobris, A. D. 1754.

Report on
Petition of
Patrick Burn.

THE Committee appointed on the Petition of *Patrick Burn*, as entered the 18th Currant, reported.

Read and accepted, and *Ordered*, That the Sum of *four Pounds* be allowed and paid out the publick Treasury to the Petitioner *Patrick Burn*, in Consideration of his past Sufferings to this Time, and that he be further allowed the Sum of *four Pounds* annually until the further Order of this Court, to be paid into the Hands of the Overseers of the Poor of the Town of *Wenham*.

Sent up for Concurrence.

Petition of
*Margaret
Gross*.

A Petition of *Margaret Gross*, Administratrix on the Estate of *Obadiah Gross*, late of *Hingham*, deceased, praying she may be impowered to make Sale of the whole of the Real Estate said *Obadiah* died seized of, for the Reasons mentioned.

Read and committed to Col. *Clap*, Col. *Choate*, and Mr. *Bonny*, to consider and report thereon.

Petition of
Josh. Brand.

A Petition of *Joshua Brand* of *Natick*, Indian, praying that a Judgment of Court obtained against him at the last Inferiour Court in the County of *Worcester*, by *Nathanael Bullard*, may be set aside, for the Reasons mentioned.

Read and *Ordered*, That the Petitioner serve the adverse Party *Nathanael Bullard*, with a Copy of this Petition, that he shew Cause (if any he have) on the first Tuesday of the next Sitting of this Court, why the Prayer of the said Petition should not be granted, and that Execution be stay'd in the mean Time.

Sent up for Concurrence.

Committee
for a Bill.

On a Motion made and seconded, *Ordered*, That Col. *Brattle*, Col. *Choate*, and Col. *Hale*, be a Committee to prepare a Bill for the better regulating Masters and Apprentices.

In

In Consideration of the many publick Blessings conferred by Almighty GOD upon this Province in the Course of the Year past, more especially that he hath been pleased to bless the Earth and make it fruitful ; which call for our most grateful Acknowledgements :

Governour
desir'd to is-
sue a Procla-
mation &c.

Voted, That His Excellency the Governour be desired, with the Advice of His Majesty's Council, to appoint a Day of publick Thanksgiving throughout this Province, for celebrating the high Praises of GOD therefor, and that all servile Labour be forbidden on said Day.

Sent up for Concurrence.

The Committee appointed on the Petition of *Abigail Sartell*, as entered the 29th Instant, reported.

Report on
Petition of
*Abigail Sar-
tell.*

Read and accepted, and *Ordered*, That the Prayer of the Petition be granted, and that the Petitioner, in her said Capacity, be and hereby is impowered, with the Advice and Consent of *Samuel Tarbell*, to make Sale of the Lands and Buildings mentioned in the Petition for the most they will fetch to such Person or Persons as shall appear to purchase the same, and to execute a good and sufficient Deed or Deeds thereof in the Law, first observing the Rules in the Law for Sale of Intestate Estates, and giving proper Caution to the Judge of Probate for the County of *Middlesex*, to pay the Debts mentioned in the Petition, and that two Thirds of what shall remain be put into the Hands of her Children's Guardians for their Use, and that the Principal of the other Thirds be secured for the Use of her Children or their lawful Heirs after her Decease, and she to receive the Interest of the said one Third for her Right of Dower during Life.

Sent up for Concurrence.

Isaac Royall, Esq; brought down the Petition of *Samuel Green*, and others, of *Malden*. Pass'd in Council, viz. In Council *October 30. 1754.*

Petition of
Sam. Green
bro't down.

Read and *Ordered*, That the Petitioners mentioned in the Petition, with their Estates, be set off to the North Parish in *Malden*, to do Duty and receive Priviledge accordingly.

Sent down for Concurrence.

Read and concur'd.

A Petition of *Timothy Lindall*, Esq; and others, representing that much Land within this Province is much injured by the increase of Barbary-Bushes, praying this Court would take the same into their wise Consideration &c.

Petition of
Tim. Lindall,
Esq; &c.

Read and committed to Col. *Hale*, Col. *Brattle*, and Col. *Choate*, to consider and report thereon.

A Petition of *Thomas Lawrence* of *Groton*, a Soldier in the late Expedition up *Kennebeck-River*, setting forth that he then received a Hurt in his Back, and since taken Sick, and still remains so ; praying Relief.

Petition of
*Tho. Law-
rence.*

Read and committed to Col. *Prebble*, Col. *Miller*, and Mr. *Morrell*, to consider and report thereon.

A Petition of *Margeret Hogg* of *Boston*, Widow, praying that the Court of Sessions for the County of *Suffolk*, may be impowered

Petition of
*Margaret
Hogg.*

to Licence her a Retailer of spirituous Liquors, for the Reasons mentioned.

Read, and the Question was put, *Whether the Prayer of the Petition be granted?* It pass'd in the Negative.

And Ordered, That the Petition be dismiss'd.

Petition of
Mary Bill.

A Petition of *Mary Bill, Thomas Child, John Graten, Giles Tidmarsh,* and *Daniel Hewes,* praying that the Justices of the Court of General Sessions of the Peace for the County of *Suffolk,* may be impowred to Licence them to keep Houses of publick Entertainment, for the Reasons mentioned.

Read, and the Question was put, *Whether the Prayer of the Petition should be granted?* It pass'd in the Negative.

And Ordered, That the Petition be dismiss'd.

Petition of
Elkanah Winchester.

A Petition of *Elkanah Winchester* and *Samuel Child,* Administrators on the Estate of *Elkanah Winchester,* late of *Roxbury,* deceased, praying they may be impowred to make Sale of the whole of the Real Estate the said *Elkanah* last mentioned died seized of, for the Reasons mentioned.

Read, and the Question was put, *Whether the Prayer of the Petition should be granted?* It pass'd in the Negative.

And Ordered, That the Petition be dismiss'd.

Petition of
Samuel Lethbridge.

A Petition of *Samuel Lethbridge* of *Wrentham,* praying the Justices of the Court of General Sessions of the Peace in the County of *Suffolk,* be impowred to Licence him an Innholder, for the Reasons mentioned.

Read and Ordered, That the Prayer of the Petition be so far granted, that the Justices of the Court of General Sessions of the Peace for the County of *Suffolk,* at the Time to which they stand adjourned, be impowred (if they see fit) to Licence the Petitioner to be an Innholder in the Town of *Wrentham,* he first obtaining the Approbation of the Select Men of said Town, the Time for granting Licences being elapsed notwithstanding.

Sent up for Concurrence.

Memorial
of *John Larabee.*

A Memorial of *John Larabee,* Lieutenant of His Majesty's Garrison of Castle *William,* representing that the Yawl belonging to said Castle, which is more than thirty Years old, and is incapable of Repairs &c. praying the Court would take the same under Consideration.

Read and Ordered, That the Committee appointed for the Repairs of the Castle, take this Memorial under Consideration, and are hereby impowred (if they judge it necessary) to cause a new Yawl to be built for the Use of the Castle; and that Mr. *James Bowdoin* be one of the Committee, in the Room of *Isaac Royall, Esq;*

Petition of
Aaron Plummer.

A Petition of *Aaron Plummer* of *Scarborough* in the County of *York,* praying that this Court would grant him a Re-hearing of an Action wherein *William Wentworth* of *Kittery,* recovered Judgment against

againſt him at the Superiour Court held at *York* for the ſaid County of *York* in *June* 1752, for the Reaſons mentioned.

Read and *Ordered*, That the Petitioner ſerve the adverſe Party *William Wentworth* with a Copy of this Petition, that he ſhew Cauſe (if any he have) on the ſecond Wedneſday of the next Sitting of the Court, why the Prayer thereof ſhould not be granted.

Sent up for Concurrence.

A Petition of *John Shepherd* of *Boston*, praying that he may have a Trial of an Action before the Juſtices of the Superiour Court next to be holden for the County of *Effex*, wherein *Alexander Watts* recovered Judgment againſt him &c. for the Reaſons mentioned.

Petition of
*John Shep-
herd.*

Read and *Ordered*, That the Petitioner ſerve the adverſe Party *Alexander Watts*, with a Copy of this Petition, that he ſhew Cauſe (if any he have) on the firſt Wedneſday of the next Sitting of the Court, why the Prayer thereof ſhould not be granted, and that Execution be ſtay'd in the mean Time ; provided the Petitioner give Bond with ſufficient Sureties to the Sheriff of the County of *Suffolk*, to pay what the ſaid *Alexander Watts* may finally recover againſt him.

Sent up for Concurrence.

Poſt Meridiem.

The Committee appointed on the Petition of *Nicholas Sever*, Eſq; as entred the 30th of *October* laſt, reported.

Report on
Petition of
Nich. Sever,
Eſq;

Read and accepted, and *Voted*, That the eighty Acres of Land mentioned in the Petition bought by ſaid *Sever* of *Joſeph Pratt*, who purchaſed the ſame of *James Thomas*, Indian Man, be and hereby is confirmed to the ſaid *Nicholas Sever*, his Heirs & Aſſigns for ever, viz. Bounded Eaſterly by *Middleborough* Land called the *ſixteen Shilling* Purchase, Northerly by the Great River forty Poles in Breadth from ſaid *Middleborough* Land, and to extend Southerly on the Weſt Side of ſaid *ſixteen Shilling* Purchase forty Poles in Breadth, and to run back from ſaid River as far as to make eighty Acres, excepting a Way a-croſs ſaid Land of four Poles in Breadth, where it may be convenient to go to the Place propoſed for ſetting a Meeting-Houſe.

Sent up for Concurrence.

A Petition of *John Hill*, Eſq; and others, in Behalf of the Proprietors of a Township lying back of *North-Yarmouth*, granted to *Jonathan Powers* and others, praying that the Proprietors of ſaid Township may be allowed a further Time for their fulfilling the Conditions of Settlement, for the Reaſons mentioned.

Petition of
John Hill,
Eſq; and
others.

Read and committed to Mr. *James Bowdoin*, Col. *Lawrence*, and Mr. *Powell*, to conſider and report thereon.

The Committee appointed on the Petition of *Eliſha Maſon*, and others, Agents of the Town of *Swanzy*, reported.

Report on
Petition of
Eliſha Maſon,
and others.

Read and accepted, and *Voted*, That the Prayer of the Petition be ſo far granted, as that the Petitioners *Eliſha Maſon*, *Nicholas Thomas*,

Thomas, and *John Anthony*, be and hereby are authorized and im-
powered to make Sale of the School Land in the Township of
Swanzey, referred to in said Petition, and to execute a good and
sufficient Deed or Deeds in the Law of the same, and the Money
arising by the Sale of said Lands be by the Town of *Swanzey* put
to Interest, & the Interest thereof be yearly applied towards the main-
taining the School in said Town, and for no other Purpose what-
soever.
Sent up for Concurrence.

Petition of
Sam. Pierce.

A Petition of *Samuel Pierce*, Agent for the Town of *Holden*, pray-
ing that the Proceedings of the said Town, and the Proprietors of said
Town, relating to a Tax of *three Farthings* per Acre on all the
Lands in said Town, may be confirmed, for the Reasons mentioned.

Read and Ordered, That the Petitioner serve the Non-resident
Proprietors of said *Holden*, by inserting in one of the publick Prints
three Weeks successively, the Substance of said Petition, that they
shew Cause (if any they have) on the second Friday of the next
Sitting of the Court, why the Prayer thereof should not be granted.
Sent up for Concurrence.

Petition of
*Gillam Phil-
lips*.

A Petition of *Gillam Phillips*, as entred the 10th of *June* last ;
whereupon he was ordered by both Houses to notify the adverse
Party *Benjamin Hallowell* to make Answer on the second Thursday
of the present Sitting ; and it appearing that the Petitioner by a
Misapprehension failed of notifying the adverse Party *Benjamin
Hallowell* ; Ordered, That the Petitioner notify the said *Benjamin
Hallowell* to make Answer to said Petition on Friday the 15th of
November next.
Sent up for Concurrence.

Then the House adjourn'd 'till to Morrow Morning nine o'Clock.

Veneris 1. Die Novembris A. D. 1754.

Petition of
Edmund Dix.

A Petition of *Edmund Dix* of *Chelsea*, praying he may be Li-
censed an Innholder, for the Reasons mentioned.

Read and Ordered, That the Prayer of the Petition be so far
granted, that the Justices of the Court of General Sessions of the
Peace for the County of *Suffolk*, be impowered (if they see fit) at
the Time to which they stand adjourned, to Licence the Petitioner
to be an Innholder in the Town of *Chelsea*, he obtaining the Ap-
probation of the Select Men of said Town, the Time for granting
of Licences being elapsed notwithstanding.

Sent up for Concurrence.

A Petition of *Ebenezer Converse* of *Woburn*, Administrator on the
Estate of *James Converse*, late of *Woburn*, deceased, praying he
may be impowered to make Sale of the whole of the Real Estate
said *James* died seized of, for the Reasons mentioned.

Read and Ordered, That Mr. *Walker* draw a proper Vote for
this House to pass thereon.

A Petition of *James Fairservice*, Commander of the Pioneers in the late Expedition up *Kennebeck* River, praying an additional Allowance. Petition of *James Fair-service*.

Read and *Ordered*, That the Petition be dismiss'd.

James Minot, Esq; brought down the Report of the Commissioners who were appointed on the Part of this Government to appear at the Congress at *Albany* in *June* last. Pass'd in Council, viz. In Council *October* 25th 1754. Read and sent down. Report of Commissioners bro't down.

Read and *Ordered*, That the said Report be committed unto the Committee appointed on the Union.

Sent up for Concurrence.

Ordered, That Lt. Governour *DELANCEY*'s Letter of the 21st of *October* last, with the Papers accompanying the same, which his Excellency the Governour was pleas'd to lay before this House, be committed to the Committee appointed on a former Letter from the said Lt. Gov. *DELANCEY*, and that the Committee sit forthwith, and report as soon as may be. Gov *DeLancey*'s Letter committed.

Sent up for Concurrence.

A Petition of *Stephen Whiting* and *William Skinner*, in Behalf of themselves and others, praying that two Petitions preferred to this Court this Session for incorporating two Townships on *Kennebeck* River, may be dismiss'd, for the Reasons mentioned. Petition of *Stephen Whiting* &c.

Read and committed to Capt. *Williams*, Mr. *Allen*, and Major *Hawley*, to consider and report thereon.

Benjamin Lincoln, Esq; brought down the Petition of *Jonathan Tyng* and others. Pass'd in Council, viz. In Council *October* 30th 1754. Read and *Ordered*, That the Petitioners serve the Town of *Chelmsford* with a Copy of the Petition, that they shew Cause (if any they have) on the second Tuesday of the next Sitting of this Court, why the Prayer thereof should not be granted. Petition of *Jonath. Tyng*, and others, bro't down.

Sent down for Concurrence.

Read and concur'd with the following Amendment, viz.—*That the Petitioners are alike required to serve the Town of Dunstable with a Copy of this Petition—*

Sent up for Concurrence.

John Erving, Esq; brought down the Petition of *William Allton* and others. Pass'd in Council, viz. In Council *October* 31st 1754. Read again, and *Ordered*, That *John Greenleaf*, Esq; with such as the honourable House shall join, be a Committee to hear the Parties, and consider this Petition, and make Report thereon. Petition of *Wm. Allton* and others, bro't down.

Sent down for Concurrence.

Read and concur'd, and Mr. *Witt*, and Capt. *Marcy*, are joined in the Affair.

A Petition of *Ebenezer Wilkins* of *Middleton* in the County of *Effex*, a Soldier in the late Expedition up *Kennebeck* River, praying he may be allowed his Expences in Sicknes, as mentioned in the Petition. Petition of *Eben. Wilkins*

Read and committed to Col. *Dwight*, Mr. *Niles*, and Capt. *Ashley*, to consider and report thereon.

Petition of *Eliphalet Cary* A Petition of *Eliphalet Cary* of *Bridgewater*, a Soldier who enlisted to go on the late Expedition up *Kennebeck-River*, and was taken Sick at the Castle, and left there, praying he may be allowed his Account of Expences to a Doctor and Nurse &c. for the Reasons mentioned.

Read and committed to Mr. *Cushing*, Capt. *Tyler*, and Capt. *Day*, to consider and report thereon.

Report on Petition of *Josiah Converse*, &c. *Eleazer Porter*, Esq; brought down the Report of a Committee of both Houses on the Petition of the first and second Precinct in *Brookfield*, and also the Petition of *Josiah Converse*, and others.

Signed *Samuel Watts*, per Order.

Pass'd in Council, viz. In Council *November 1st 1754*. Read and accepted, and Ordered, That a Bill be brought in for the Purposes mentioned in said Report, and that the Charge of the Committee be born by the whole Town of *Brookfield*.

Sent down for Concurrence.

Read and unanimously concur'd, and Ordered, That Capt. *Ayres* bring in a Bill accordingly.

Petition of *Nath. Allen*. A Petition of *Nathanael Allen* and others of *Glocester*, praying that the Grant of the General Court of a New Township called *New-Glocester*, may be confirmed, and a further Time allowed the Proprietors to perform the Conditions of Settlement, for the Reasons mentioned.

Read and committed to Mr. *James Bowdoin*, Col. *Lawrence*, and Mr. *Powell*, to consider and report thereon.

Petition of *Sam. Stevens* &c. A Petition of *Samuel Stevens* and *Ebenezer Pierpont*, a Committee of the Proprietors of a Township called *Gardner-Canada-Township*, praying the Proprietors may be allowed a further Time for doing the Duty enjoined them, for the Reasons mentioned.

Read and committed to Mr. *James Bowdoin*, Col. *Lawrence*, and Mr. *Powell*, to consider and report thereon.

Post Meridiem.

Resolve and Order relating to a Tax on Groton & Northampton. Whereas in the Tax Act made and passed in June last, the whole Pay of the Representative of the Town of Groton and the Districts of Shirley and Pepperrell was set upon said Groton; and also the whole Pay of the Representative of the Town of Northampton and District of Southampton, was set on Northampton only; whereas the Districts by Law are obliged to pay the same Proportions of their respective Representatives Pay as the Sums of said Districts Province Tax is to the Sum of the Tax set on said Towns:

Therefore Resolved and Ordered, That the Province Treasurer immediately issue his Warrants again to the Assessors of the Town of Groton and Northampton, and to all the abovesaid Districts, requiring the Assessors of the said Shirley and Pepperrell, to assess on their

their respective Districts aforesaid their respective and lawful Proportions of the Sum Total of their Representatives Pay for the last Year ; and also the Assessors of *Southampton* to assess on said *Southampton* their lawful Proportion with *Northampton* of the Pay of their Representative for the last Year ; and the Assessors of the said Town of *Groton* and *Northampton* to assess their respective Towns in the respective Sums that shall remain after the respective Proportions of the respective Districts that are joined with them are subtracted, any Thing contained in the Warrants already issued by said Treasurer to the contrary notwithstanding ; the lawful Proportions of the Pay of the Representative of said *Groton* and the said District joined with it for the last Year, are as follows, *Viz.*

	£.	s.	d.	fa.	
<i>Groton</i> , —————	15	15	3	3	} Total £. 23 0 0
<i>Shirley</i> , —————	2	3	11	0	
<i>Pepperrell</i> , —————	5	0	9	1	

The lawful Parts and Proportions of the Pay of the Representative of *Northampton* and *Southampton* for the last Year, is as follows, *viz.*

	£.	s.	d.	fa.	
<i>Northampton</i> , —————	25	19	2	2	} Total £. 31 4 0
<i>Southampton</i> , —————	5	4	9	2	

To which Rates and Proportions said Treasurer is required to conform his Warrants aforesaid. Sent up for Concurrence.

A Petition of *Nathanael Barber* and others, Assessors of the Town of *Boston*, setting forth, that *Andrew Oliver*, Esq; and Mr. *William Phillips*, brought their Action of Trespass against them for rating them as Persons in Trust in the Improvement of the Estate of Mr. *Thomson* of *Great Britain*, to the Inferiour Court, upon which the Jury brought in their Verdict in Favour of the Petitioners for Costs, which said Court set aside, and ordered a new Trial &c. praying the Aid and Interposition of this Court, for the Reasons mentioned.

Petition of
Nath. Barber
and others.

Read and Ordered, That the Petitioners serve the adverse Parties *Andrew Oliver*, Esq; & *William Phillips*, with a Copy of this Petition, that they shew Cause on Friday next (if any they have) why the Prayer thereof should not be granted. Sent up for Concurrence.

Andrew Oliver, Esq; came down from the honourable Board with a Message proposing that the House should join them in the Choice of Civil Officers on Tuesday next three o'Clock in the Afternoon.

Message
from the
Board.

Ordered, That Col. *Lawrence* go up with a Message to the honourable Board to inform them that the House do not agree to the Choice of Civil Officers on Tuesday next.

Message to
the Board.

Who returned he had delivered the Message.

Ordered, That Mr. *James Russell* be added to the Committee on Agent *Bollan's* Letters, and that the said Committee be directed to sit forthwith.

Mr. *James*
Russell added
to a Com-
mittee.

Sent up for Concurrence.

The

Report on
Petition of
Tho. Lawrence.

The Committee appointed on the Petition of *Thomas Lawrence*, as entred the 31st of *October* last, reported.

Read and accepted, and *Ordered*, That the Sum of *eleven Pounds ten Shillings & seven Pence*, be allowed and paid out of the publick Treasury to the Petitioner *Thomas Lawrence*, in full Discharge of his Account of Expences mentioned in the Petition.

Sent up for Concurrence.

Mr. Haywood
of a Com-
mittee.

Ordered, That *Mr. John Haywood* be of the Committee on the Petition of the Proprietors of *Narragansett* Number *Four*, in the Room of *Mr. William Fletcher*, who is absent.

Report on
Petition of
the Select
Men of *Dun-*
stable.

The Committee appointed on the Petition of the Select-men of *Dunstable*, and the Petition of sundry other Persons of said Town, reported.

Read and accepted, and *Ordered*, That the whole Affairs mentioned in said Petitions, be referred to the second Tuesday of the next Sitting of this Court ; and that the said Select Men serve the Town of *Dunstable* with a Copy of their Petition, that they shew Cause (if any they have) on said second Tuesday, why the Prayer of said Petition should not be granted, and that the Clerk of the said Town return to this Court an exact Account of the different Number of Voters on the Question for making Answer to the Petition, and what Part of them were of the Persons formerly belonging to *Nottingham* ; and the Moderator that may be appointed is hereby required to assist the said Clerk in collecting the Voters as aforesaid.

Sent up for Concurrence.

Capt. Ashley
and *Mr. Ger-*
rish on a
Committee.

Ordered, That *Capt. Ashley* and *Mr. Gerrish*, be of the Committee on the Petition of the Inhabitants of the Southerly Part of *Springfield*, in the Room of *Capt. Richardson*, and *Mr. Stevens*, who are absent.

Sent up for Concurrence.

Petition of
Joseph Webb.

A Petition of *Joseph Webb* of *Boston* in the County of *Suffolk*, praying that the Justices of the Court of General Sessions of the Peace for said County may be impowered to Licence him a Retailer of spirituous Liquors, for the Reasons mentioned.

Read and *Ordered*, That the Prayer of the Petition be so far granted, that the Justices of the Court of General Sessions of the Peace for the County of *Suffolk* at the Time to which they stand adjourned, be impowered (if they see fit) to Licence the Petitioner to be a Retailer of spirituous Liquors in the Town of *Boston*, he first obtaining the Approbation of the Select Men of said Town, the Time for granting Licences being elapsed notwithstanding.

Sent up for Concurrence.

Then the House adjourn'd 'till to Morrow Morning nine o'Clock.

Sabbati 2. Die Novembris, A. D. 1754.

A Petition of *Joseph Plaisted* of *York* in the County of *York*, Administrator on the Estate of *Joseph Plaisted*, Esq; deceased, late Sheriff of said County, representing that one *Samuel Walton* recovered Judgment against one *Stephen Pierce* for thirteen Pounds six Shillings and eight Pence Damages, and one Pound sixteen Shillings and two Pence Cost; upon which Execution issued, and said *Joseph Plaisted*, deceased, by Virtue thereof committed said *Stephen* to the Goal of the County of *York*, from whence he escaped by breaking the same; said *Walton* thereupon brought his Action against said *Joseph*, deceased, in his Life-time, and recovered Judgment against him &c. praying that he may be impowered to bring forward a Writ of Review of said Action, or have Remedy against the County Treasurer of said County, for the Reasons mentioned.

Petition of
Jos. Plaisted.

Read and committed to Col. *Choate*, Mr. *William Bowdoin*, and Mr. *Niles*, to consider and report thereon.

The Committee on the Petition of *James Whitcomb*, Agent for the Proprietors of *Narragansett* Number Four, report, That the Petitioner notify the Proprietors of *Hardwick* with a Copy of this Petition.

Report on
Petition of
James Whit-
comb.

Read and Ordered, That the said *James Whitcomb* serve the Clerk of the Proprietors of the Town of *Hardwick* with a Copy of this Petition, that they shew Cause (if any they have) on the second Friday of the next Sitting of the Court, why the Prayer thereof should not be granted. Sent up for Concurrence.

Benjamin Lincoln, Esq; brought down a Vote pass'd in Council, viz. In Council November 2d 1754.

Vote of
Council re-
lating to the
Minutes of
the Com-
missioners at
Albany, bro't
down.

His Excellency the Governour having caused to be communicated to the Court divers Extracts from the Minutes of the Commissioners for Indian Affairs at *Albany*, relative to a Conference had between them and the *Cagnawagas*, and other French Indians; in which their Proceedings of the 14th of August last, are wholly omitted, altho' twice referred to viz. of the 15th and 24th of said Month:

Therefore Voted, That His Excellency the Governour be requested to write again to His Honour the Lieut. Governour of *New-York*, desiring that he would be pleased to send a compleat Copy of the whole Conference with said Indians (as the Minutes now sent are only certified to be Extracts) and that his Honour would likewise be pleased to communicate what passed between the *Cagnawaga* Indians and the *Mohawks*, and between the said Commissioners and the *Mohawks*, relating to a Neutrality; and *Joseph Pynchon*, Esq; with such as the honourable House shall join, are appointed a Committee to wait on his Excellency, and lay before him this Vote of both Houses. Sent down for Concurrence.

Read and concur'd, and Col. *Brattle*, and Col. *Saltonstall*, are joined in the Affair.

Petition of
John Cald-
well, bro't
down.

Eleazer Porter, Esq; brought down the Petition of *John Caldwell*, of *Rutland-District*, with a Report of a Committee of both Houses. Pass'd in Council, viz. In Council *November 1st 1754*. Read and accepted, and Ordered, That the Assessors of the said Districts be and hereby are impowered to assess the Lands mentioned in the Petition at the Rate of *one half Penny* per Acre, Standard Acre, for three Years next ensuing, and the Collectors to collect and pay in the same; and that the Sum arising thereby be disposed of as mentioned in said Report. Sent down for Concurrence.

Read and concur'd.

Petition of
Nich. Sever,
bro't down.

Samuel Watts, Esq; brought down the Petition of *Nicholas Sever*, Esq; and Papers accompanying the same. Pass'd in Council, viz. In Council *November 1st 1754*. Read and non-concur'd, and Ordered, That *John Cushing*, Esq; with such as the honourable House shall join, be a Committee to consider this Petition, and make Report what they judge proper to be done thereon.

Sent down for Concurrence.

Read and concur'd, and Col. *Brattle*, and Major *Hawley*, are joined in the Affair.

Report of
Committee
to make Sale
of Lands.

Samuel Watts, Esq; brought down the Report of the Committee appointed the 9th of *January* last, to make Sale of eight Hundred Acres of Land on the Road from *Northampton* to *Pontoosuck &c*.

Signed *Eleazer Porter*, per Order.

The said Report is as follows, viz.

That the said Committee after having given publick Notice of the Time and Place of the Sale of said Land, attended said Service at *Springfield* in *August 1754*. and have sold the same at publick Vendue to the highest Bidders, viz. *Oliver Partridge*, *David Ingersole*, *John Ashley*, Esqrs; and Mr. *Moses Greaves*, for *two Shillings and ten Pence* per Acre, and have taken Bonds for the Fulfilment of the Conditions, and for the Payment of the Money to the Province Treasurer, and returned them to him, excepting *three Pounds* which was paid down and disposed of as follows, to the Committee for their Time and Expences *thirty six Shillings*, and to *Oliver Partridge*, Esq; in Part of the *fifty Shillings* granted him by the Court for surveying and returning a Plan of said Lands, *twenty four Shillings*.

Read and accepted.

Sent up for Concurrence.

Report on
Petition of
Abiel Stevens.

The Committee appointed on the Petition of *Abiel Stevens*, as entred the 24th of *October* last, reported.

Read and accepted, and Ordered, That the Prayer of the Petition be granted, and that the Petitioner in his said Capacity be and hereby is impowered to make Sale of the Real Estate mentioned in the Petition, to such Person or Persons as will give most for the same, and to execute a good Deed or Deeds of Conveyance thereof, he giving publick Notice of the Time and Place of Sale, agreeable to the Directions of the Law in the Sale of Intestate Estates by Administrators, he giving Caution to the Judge of Probates for the County

County of *Essex*, that the Overplus arising by said Sale (after the just Debts of the said Deceased are paid) be secured and improved to the best Advantage of said Deceased's Children.

Sent up for Concurrence.

A Bill Intituled *An Act for Docking the Entail of a certain Piece of Land in the Town of Andover therein mentioned and described.* Bill for Docking an Entail of Land.

Read a first and second Time, and Ordered, That the Bill have a third Reading Tuesday next three o'Clock Afternoon.

The Committee appointed on the Petition of *Ebenezer Converse*, as entered the first Instant, reported. Report on Petition of *Eben. Converse*.

Read and accepted, and Ordered, That the Prayer of the Petition be granted, and that the Petitioner in his Capacity of Administrator be and hereby is impowred to make Sale of the Real Estate that *James Converse* died seized of, he attending the Directions of the Law respecting the Sale of Intestate Estates, and to execute in due Form of Law a good & sufficient Deed or Deeds thereof, to such Person or Persons as shall give most for the same, he giving sufficient Caution to the Judge of Probate for the County of *Middlesex* to account for the Produce of the Premises, and dispose of the same according to Law.

Sent up for Concurrence.

A Petition of Capt. *Elisha Chapin*, praying that this Court would make an Establishment for certain Officers at *Fort-Massachusetts*, for the Reasons mentioned. Petition of Capt. *Elisha Chapin*.

Read and committed to Major *Hawley*, Capt. *Minot*, and Capt. *Livermore*, to consider and report thereon.

Benjamin Lincoln, Esq; brought down the Petition of *John Pitts*. Petition of *John Pitts* bro't down. Pass'd in Council, viz. In Council November 1st 1754. Read again, together with the Answer of *Jonathan Draper*, and the Affair being considered, Ordered, That this Petition be dismiss'd.

Sent down for Concurrence.

Read and concur'd.

A Bill Intituled *An Act for the Preservation of the Growth of a certain Parcel of Wood and Timber in the Township of Ipswich and Wenham in the County of Essex.* Bill relating to Growth of Timber.

Read a first Time.

And Ordered, That the Bill have a second Reading on Tuesday next eleven o'Clock.

A Bill Intituled *An Act for making an Addition to the second Precinct in the Town of Brookfield in the County of Worcester, and dividing the first Precinct in said Town into two Precincts.* Bill relating to Brookfield Precinct &c. [Co

Read a first Time.

And Ordered, That the Bill have a second Reading on Tuesday next at twelve o'Clock.

Then the House adjourn'd 'till Tuesday next ten o'Clock in the Forenoon.





VOTES

Of the House of Representatives.



Artis 5. Die Novembris, A. D. 1754.

Undry Petitions from the Inhabitants living on the Western Frontiers, viz. from *William Williams* of *Poontoosuck*, sundry Proprietors of *New-Framingham*, sundry Proprietors of *West-Hoosuck*; also of *Gershom Hawks* and others; praying the Protection and Aid of this Court.

Sundry Per-
titions from
Western
Frontiers.

Read and Ordered, That the said Petitions be committed to the Committee appointed to consider the State of the Western Frontiers to consider and report thereon. Sent up for Concurrence.

A Bill Intituled *An Act for making an Addition to the second Precinct in the Town of Brookfield in the County of Worcester, and dividing the first Precinct in said Town into two Precincts.*

Bill relating
to Brookfield.

Read a second and third Time, and pass'd to be engross'd.
Sent up for Concurrence.

A Petition of *John Hooker* of *Fall-Town*, who was a Soldier in the Expedition at *Cape Breton*, and there grievously burnt, praying he may be allowed Soldiers Wages while he lay Sick in *Boston*, for the Reasons mentioned.

Petition of
John Hooker.

Read and committed to Col. *Storcer*, Mt. *Witt*, and Col. *Prebble*, to consider and report thereon.

The Committee appointed to examine the Accounts of the Commissary-General, report, That upon his Account of Specie, there remains due to the Province One Hundred and eighty three Barrels of Pork, and four Hundred & twenty two and one half Bushel of Pease, which *John Wheelwright*, Esq; Commissary-General is further to account for in the next Account of Specie.

Report on
on Commis-
sary General
Account of
Specie.

Read and accepted, and Ordered, That the said *John Wheelwright*, Esq; be further accountable accordingly.

Sent up for Concurrence.

Report on
Mr. *Wheelwright's* Ac-
count of In-
dian-Trade.

The Committee appointed to examine the Accounts of the Officer for managing the Indian Trade, report, that there remains due from *John Wheelwright, Esq;* said Officer, *thirty five Thousand and fifty six Pounds eight Shillings & eleven Pence*, old Tenor, which he is further to account for.

Read and accepted, and *Ordered*, That the said *John Wheelwright, Esq;* further Account for said Sum accordingly.

Sent up for Concurrence.

Excise Bill.

A Bill Intituled *An Act for granting unto his Majesty an Excise on Rum, Brandy and other Spirits distilled &c.* Read a first Time.

Post Meridiem.

Petition of
Margaret Eliot.

A Petition of *Margaret Eliot* of *Holliston*, praying this Court would enable the Justices of the Inferiour Court of Common Pleas for the County of *Middlesex*, to hear and determine a-new an Action wherein *Nathanael Sheffield* recovered Judgment against her, for the Reasons mentioned.

Read and *Ordered*, That the Petitioner serve the adverse Party *Nath. Sheffield* with a Copy of this Petition, that he shew Cause (if any he have) on the first Friday of the next Sitting of this Court, why the Prayer thereof should not be granted, and that Execution be stay'd in the mean Time. Sent up for Concurrence.

Petition of
Abigail Whitney.

A Petition of *Abigail Whitney* of *Boston*, Executrix to the Estate of *Benjamin Whitney* of *Boston* aforesaid, deceased, praying that the Judge of Probate for the County of *Suffolk* may be impowered to rectify certain Mistakes made in the Settlement of said Estate, for the Reasons mentioned.

Read and committed to Col. *Brattle*, Mr. *Witt*, and Col. *Lawrence*, to consider and report thereon.

Report on
Petition of
Inhabitants
of *Springfield*
bro't down.

Isaac Royall, Esq; brought down the Report of a Committee of both Houses on the Petition of sundry Persons belonging to the second Parish in *Springfield*, viz. That they are of Opinion, that this Court send a Committee to view the Situation and Circumstances of the Petitioners, and report what they judge proper for this Court to do thereon; and that the Charge thereof shall be borne as this Court shall order.

Signed *John Hill*, per Order. Pass'd in Council, viz. In Council *November 5th 1754*. Read and accepted, and *Ordered*, That *Eleazer Porter, Esq;* with such as the honourable House shall join, be a Committee for the Purposes above mentioned. Sent down for Concurrence.

Read and concur'd, and *Oliver Partridge* and *Joseph Hawley, Esqrs;* are joined in the Affair.

Order on
Excise Bill.

Ordered, That the Bill Intituled *An Act for granting unto his Majesty an Excise upon Rum, Brandy and other Spirits distilled &c.* be read a second Time to Morrow Morning ten o'Clock in the Forenoon.

The Committee appointed on the Petition of *John Hill*, Esq; and others, as entred the 31st of *October* last, reported.

Read and accepted, and thereupon *Voted*, That the Petitioner and others in whose Behalf they Petition, be allowed a further Time, not exceeding one Year from this Time, to compleat the Settlement of the Township mentioneed in the Petition; the Order of this Court in *April* 1753, notwithstanding.

Report on
Petition of
John Hill Esq [Voted]
and others.

Sent up for Concurrence.

The Committee appointed on the Petition of *Nathanael Allen*, as entred the last Day of *August* last, reported.

Read and accepted, and *Voted*, That the Petitioner, and others in whose Behalf he petitioneth, be allowed a further Time, not exceeding one Year from this Time, to compleat the Settlement of the Township mentioned in the Petition, the Order of this Court in *April* 1753, notwithstanding.

Report on
Petition of
Nath. Allen.

Sent up for Concurrence.

Then the House adjourn'd 'till to Morrow Morning nine o'Clock.

Mercurii 6. Die Novembris A. D. 1754.

A Petition of *Joseph Richards*, Esq; praying that he may be allowed out of the Moneys belonging to the *Punkapaug* Indians, now in the Hands of *Col. Miller*, their Guerdian, his Account for Medicines and Attendance on fundry sick Indians &c.

Petition of
Jos. Richards
Esq; [Guardian]

Read and committed to *Capt. Ashley*, *Col. Brattle*, and *Mr. Niles*, to consider and report thereon.

A Petition of *Francis Brindley*, Esq; and others, praying that this Court would enable them and the other Owners, to divide certain Lands which they hold by Lease and in common, lying in the Town of *Framingham*, for the Reasons mentioned.

Petition of
Fran. Brind-
ley, Esq;

Read and *Ordered*, That the Petitioners notify the whole of the Proprietors of said Lands with this Petition, by inserting the Substance thereof in one of the publick Prints three Weeks successively, that any of the said Proprietors may shew Cause (if any they have) on the second Wednesday of the next Sitting of this Court, why the Prayer thereof should not be granted.

Sent up for Concurrence.

A Bill Intitled *An for the Preservation of the Growth of a certain Parcel of Wood and Timber in the Township of Ipswich and Wenham, in the County of Essex*.

Order on a
Bill.

Read a second Time, and *Ordered*, That the Bill lie on the Table.

On a Motion made and seconded, *Ordered*, That the Petitioners *Thomas Brown* and others, as entred the 30th of *October* last, serve the whole of the Proprietors of the Lands mentioned in said Petition,

Order on
Petition of
Tho. Brown
and others.

tion, by posting up the Substance thereof at some publick Place in *Wenham* and *Ipswich-Hamblet*, that any of them may shew Cause (if any they have) on the 19th Instant, if the Court be then Sitting, if not, on the first Friday of the next Sitting of the Court, why the Prayer thereof should not be granted.

Sent up for Concurrence.

Capt. Goodwin to take a Plan of unappropriated Lands. *Ordered*, That Capt. *Ichabod Goodwin* of *Berwick*, cause a Plan to be taken of the unappropriated Lands of this Province adjoining unto *Newichwannock-River*, and return the same to this House as soon as may be.

Bill for the Docking an Entail. A Bill Intituled *An Act for Docking the Entail of a certain Piece of Land in the Town of Andover therein mentioned and described.*
Read a third Time and pass'd to be engross'd.
Sent up for Concurrence.

Question on a Bill. A Bill Intituled *An Act for incorporating Benjamin Pollard, Esq; and others by the Name of the Independent Company of Cadets.*
Read a first Time, and the Question was put, *Whether the Bill should have a second Reading?* It pass'd in the Negative.

Order on Excise Bill. *Ordered*, That the second Reading of the Bill granting unto his Majesty's an Excise upon Rum, &c. be referred till three o'Clock Afternoon.

Petition of *Jos. Lynde* bro't down. *John Erving*, Esq; brought down the Petition of *Joseph Lynde*. Pass'd in Council *viz.* In Council *October* 31st 1754. Read and *Ordered*, That the Prayer of this Petition be granted, and that the Petitioner (in his said Capacity as Guardian) be and he is hereby authorized and impowered to make Sale of the Real Estate of the said *Non Compos* Person, yet remaining unfold, and to execute a good and sufficient Deed or Deeds of Conveyance thereof to such Person or Persons as shall give most for the same; previous public Notice being given of the intended Sale in Manner as by Law is prescribed touching the Sale of Real Estates by Executors or Administrators; the Proceeds of such Sale to be applied as Need may require, for the Support of the *Non Compos* Person, and for discharging his just Debts, and so much thereof as may be to put out at Interest for his Benefit, provided due Caution be first given to the Judge of Probate for the County of *Middlesex*, that the said Proceeds be duly applied and improved as aforesaid, and that the said Guardian be accountable for his Proceedings in the Premises.

Sent down for Concurrence. Read and concur'd.

Petition of *Jer. Williams* bro't down. *Isaac Royall*, Esq; brought down the Petition of *Jeremiah Williams*. Pass'd in Council, *viz.* In Council *October* 29th 1754. Read again, together with the Answer of *John Morey*, and the other Papers accompanying the same, and *Ordered*, That this Petition be dismissed.
Sent down for Concurrence. Read and non-concur'd.

And

And *Ordered*, That Col. *Clap*, Col. *Brattle*, and Col. *Richards*, with such as the honourable Board shall join, be a Committee to hear the Parties, and consider the Petition and Answer, and Papers accompanying the same, and report what they judge proper for this Court to do thereon.

Sent up for Concurrence.

A Petition of *John White*, praying that the Justices of the Court of General Sessions of the Peace for the County of *Essex*, may be empowered to Licence him an Innholder &c. for the Reasons mentioned.

Petition of
John White.

Read and *Ordered*, That the Prayer of the Petition be so far granted, as that the Justices of the Court of General Sessions of the Peace for the County of *Essex* at their next Term, are empowered (if they think fit) to Licence the Petitioner to keep a House of publick Entertainment in *Beverly*, in the House where *Ebenezer Ellingwood* now keeps a Tavern, provided the Petitioner obtain the Approbation of the Select Men of the Town of *Beverly*, the Time for granting of Licences being elapsed notwithstanding.

Sent up for Concurrence.

The Committee appointed on the Petition of *Joseph Richards*, Esq; as entred this Day, reported.

Report on
Petition of
Jos. Richards
Esq;

Read and accepted, and *Ordered*, That the Petitioner be allowed the Sum of *eight Pounds six Shillings* out of the Monies belonging to the *Punkapaug* Indians, now in the Hands of Col. *Samuel Miller*, in full Discharge of the Accounts mentioned in the Petition.

Sent up for Concurrence.

The Committee appointed on the Petition of *Hannah Whitney*, as entred the 24th of *October* last, reported.

Report on
Petition of
Hannah
Whitney. [Whitten]

Read and accepted, and *Ordered*, That the Prayer of the Petition be granted, and that the Petitioner in her said Capacity be and hereby is enabled to make Sale of her Thirds of the Premises mentioned in the Petition, to such Person or Persons as shall give most for the same, and to execute a good and sufficient Deed or Deeds in the Law for the Sale of Intestate Estates, and giving sufficient Caution to the Judge of Probate for the County of *Suffolk*, that the Overplus coming by said Sale (if any be) besides the paying the Intestate's just Debts, shall return to the Heirs of the said Intestate at the Decease of the Petitioner.

Sent up for Concurrence.

James Minot, Esq, brought down the Petition of sundry Inhabitants of *Fall-Town*, with the Report of a Committee of both Houses, who was appointed in *January* last, to repair to *Fall-Town* &c. With a Vote of Council thereon. Pass'd in Council, viz. In Council *November* 5th 1754. Read and *Ordered*, That the Report be accepted.

Petition of
Inhabitants
of *Fall-Town*
bro't down.

Sent down for Concurrence.

Read and concur'd.

The Petition of *Samuel Montague* and others, a Committee of the Town of *Sunderland*, praying that this House would reconsider their

Petition of
Samuel Montague and
others.

their Determination in excluding Capt. *Jonathan Felt* from being Representative for said Town, and admitting of Mr. *Joseph Holton* as Representative for said Town, for the Reasons therein mentioned.

Read and *Ordered*, That the Petitioners serve the Clerk of the District of *New-Salem* with a Copy of this Petition, that said District shew Cause (if any they have) on the second Friday of the next Sitting of the Court, why the Prayer thereof should not be granted.

Post Meridiem.

Mr. Secretary came down with a Message from His Excellency the Governour to both Houses; which he read and laid on the Table; and is as follows, *viz.*

Message
from the
Governour.

Gentlemen of the Council and House of Representatives,
I Have lately received *Dispatches by Express* from the commanding Officer at *Taconick*, informing me, that the Indians fell upon a Party of that Garrison sent out to load with *Loggs* for the Use of the Fort at a small Distance from it, and kill'd and scalped one of the Soldiers, and carried off four more as Prisoners, one only escaping to the Garrison.

The Letters relating to this Affair, and other Matters of Importance, the Secretary will lay before you.

This Act of Barbarity and Treachery in the Indians gives a new Aspect to our Affairs and Interests in the Eastern Parts, and will require new Measures for our Security; I would therefore desire you to take them under your Consideration, and give me your Advice thereupon; as also for the effectual Security of the Western Frontiers.

November 6th 1754.

W. SHIRLEY.

Ordered, That His Excellency's above Message be considered to Morrow Morning ten o'Clock.

Debate and
Order on
Excise Bill.

A Bill Intituled *An Act for granting unto his Majesty an Excise on Rum, Brandy and other Spirits distilled &c.* Read a second Time.

And after a large Debate had thereon, *Ordered*, That the Bill be further considered to Morrow Morning ten o'Clock.

Then the House adjourn'd 'till to Morrow Morning nine o'Clock.

Jobis 7. Die Novembris A. D. 1754.

Order on
Governour's
Message of
Yesterday.

A According to the Order of the Day, the House took under Consideration His Excellency's Message of Yesterday to both Houses; and after a Debate thereon, *Ordered*, That Mr. Speaker, Col. *Choate*, and Mr. *Welles*, with such as the honourable Board shall join, be a Committee to take under Consideration his Excellency's Message of Yesterday, and Letters accompanying the same, and make Report, and that said Committee sit forthwith.

And further *Ordered*, That the said Committee prepare a proper Message to his Excellency the Governour, desiring him to stop the Present to the Eastern Indians, which was ordered this Session.

Sent up for Concurrence.

Benjamin

Benjamin Lincoln, Esq; bro't down the Petition of *Benjamin Porter*. Petition of
 Pass'd in Council, viz. In Council November 1st 1754. *Benj. Porter*
 bro't down.

Whereas the General Court in June 1750, upon the Petition of the Rev. Mr. John Rogers, ordered and impowered Mr. Benjamin Porter, to collect an Assessment referred to in said Petition, and in October then next following further explained the said Order : But some Doubts have arisen, and may arise, whether the said Order included a Power to the said Porter to make Distress on the Goods or Chattels of any Person or Persons named in said Assessment upon their Neglect or Refusal to pay the Sum or Sums they are assessed therein :

Resolved, That the said Power was by said Order intended to be given to said *Porter*, and that it ought so to be understood and construed.

Sent down for Concurrence.

Read and concur'd.

Mr. Secretary brought down the Report of the Commissioners appointed on the Part of this Province to meet with Commissioners on the Part of the Province of *New-York*, in order to a Settlement of the Line between the two Governments. Which was read. Report of
 Commissioners bro't
 down.

And *Ordered,* That the House will take the same under Consideration at four o'Clock Afternoon.

An engross'd Bill Intituled *An Act for making an Addition to the second Precinct in the Town of Brookfield in the County of Worcester,* and dividing the first Precinct in said Town into two Precincts. *Brookfield Bill*
 engross'd.

Read and *Resolved,* That the Bill pass to be enacted.

The Committee appointed on the Petition of *Margaret Grofs*, as entered the 31st of *October* last, reported. Report on
 Petition of
Marg. Grofs.

Read and accepted, and *Ordered,* That the Petitioner in her said Capacity be and hereby is fully authorized and impowered to make Sale of the Buildings and Land mentioned in the Petition, for the most the same will fetch, and to make and execute a good Deed or Deeds of the same, the observing the Directions of the Law respecting the Sale of Real Estates, provided also she give sufficient Caution to the Judge of Probate for the County of *Suffolk*, that the overplus Money arising by said Sale (after the just Debts owing from the said Estate are paid) to be distributed to and among the Children and legal Representatives of her late Husband *Obadiah Grofs*, deceased, according to Law, two Thirds thereof upon the Settlement of said Estate, and the other Third at her Decease.

Sent up for Concurrence.

The Committee appointed on the Petition of *John Procter* and others, as entered the 24th of *October* last, reported. Report on
 Petition of
John Procter
 and others.

Read and accepted, and *Ordered,* That the Prayer of the Petition be so far granted, that *Philip Godfrid Kast*, one of the Petitioners, in his Capacity of Guardian to his Son *Thomas Kast*, be and hereby is enabled and impowered to join with the other Petitioners, in the Sale of the Premises mentioned in said Petition, the said *Philip* to observe the Directions in the Law for the Sale of Real Estates, and give

give sufficient Caution to the Judge of Probate for the County of *Suffolk*, that his said Son's Share in the Proceeds of said Sale both Principal and Interest be paid to him or his legal Representative, when he shall arrive at twenty one Years of Age, excepting so much as shall be necessarily expended on the said *Thomas Kest* in his Minority, and be allowed by the Judge of Probate for said County.

Sent up for Concurrence.

Post Meridiem.

Debate and
Order on an
Excise Bill.

The House again took under Consideration the Bill Intituled *An Act for granting an Excise unto his Majesty upon Rum &c.*

And after a large Debate had, and several Amendments made thereon, *Ordered*, That the further Consideration of the Bill be had to Morrow Morning ten o'Clock; and all the Members are enjoined to give their Attendance punctually.

Then the House adjourn'd 'till to Morrow Morning nine o'Clock.

Veneris 8. Die Novembris, A. D. 1754.

Report on
Petition of
Capt. *Elisha*
Chapin.

THE Committee appointed on the Petition of Capt. *Elisha Chapin*, reported.

Read and *Ordered*, That the Prayer of the Petition be so far granted, that the Petitioner be allowed to make up his Roll with the like Number of Officers as are allowed at *George's Fort*, and that said Officers be paid at the same Rate.

Sent up for Concurrence.

Further De-
bate on the
Excise Bill.

The House again took under Consideration the Bill granting an Excise to his Majesty upon Rum &c.

And after a Debate, and further Amendments, the further Consideration thereof was referred till three o'Clock Afternoon.

Post Meridiem.

Report on
Petition of
John Allton.

Joseph Pyncheon, Esq; brought down the Petition of *William Allton* and others, Inhabitants of the Town of *Oxford*, with a Report of a Committee of both Houses thereon, as follows:

The Committee to whom was referred the Petition of *William Allton* and other Inhabitants of the Town of *Oxford*, having heard the Parties, and considered the Petition, with the Circumstances of the Town of *Oxford*, are humbly of Opinion, that the Prayer of the Petition be so far granted, as that the Petitioners with their Lands and others adjoining, be erected into a separate District by the following Bounds, *viz.* Beginning at the South Line of *Oxford* one Mile West of the Village-Line (so called) thence Northerly parallel with said Village-Line to *Liecester* South Bounds, thence Westerly with *Liecester* and *Spencer* South Bounds until it come within one Mile and Quarter of *Sturbridge* East Bounds, thence running one Mile

Mile and Quarter Westwardly to *Oxford* Northwest Corner, thence Southerly with *Oxford* Southwardly Bounds to *Dudley* Northwest Corner, thence with *Oxford* Southwardly Bounds to where it first began.

All which is humbly submitted,

John Greenleaf.

Pas'd in Council, viz. In Council *November* 7th 1754. Read and accepted, and the Petitioners are allowed to bring in a Bill accordingly.

Sent down for Concurrence.

Read and concur'd.

The Committee appointed on the Petition of *Judith Richardson*, reported.

Read and accepted, and *Ordered*, That the Prayer of the Petition be granted, and that the Petitioner, in her Capacity of Administratrix to the Estate of *Josiah Richardson*, deceased, be and hereby is impowered to make Sale of the twenty Acres of Land, mentioned in the Petition, lying in *Tewkesbury* to such Person as shall give most for the same, and to execute a good and sufficient Deed for the conveying the same, she to be accountable to the Judge of Probate for the County of *Middlesex* for the Overplus coming by said Sale (if any be) besides the paying for the said two Shares which she hath purchased and conveyed to the Heirs of the said *Josiah Richardson*, deceased.

Report on
Petition of
*Judith Ri-
chardson.*

Sent up for Concurrence

The Committee appointed to examine the Accounts of the several County Treasurers, reported upon those of the County of *Bristol*, that they are right cast and well vouched, and that there is a Ballance due from said County to *Robert Luscombe* the Treasurer, the Sum of *two Pounds seven Shillings & two Pence one Farthing and eight Fifteenths of a Farthing*.

Report on
Bristol Coun-
ty Treasur-
er's Ac-
counts.

Read and accepted, and *Ordered*, That the said *Robert Luscombe* receive out of said Treasury of the County of *Bristol* the Sum of *two Pounds seven Shillings & two Pence one Farthing and eight Fifteenths of a Farthing*.

Sent up for Concurrence.

The House again took under Consideration the Bill granting an Excise to His Majesty on Rum &c.

Order on
Excise Bill.

And after a large Debate thereon, *Ordered*, That the Bill have a third Reading to Morrow Morning ten o'Clock.

John Greenleaf, Esq; brought down the Petition of *John Calef*. Pas'd in Council, viz. In Council *Novemb.* 8th 1754. Read again, together with the Answer of *Joseph Calef* and *Sarah Staniford*, and thereupon *Ordered*, That the Petitioner be and hereby is allowed and fully impowered to file his Reasons of Appeal in the Register of Probate's Office for the County of *Essex*, and to give Bond for prosecuting the same to Effect, the Time limited by Law being elapsed notwithstanding, provided the said Appeal be presented for an Hearing and Determination to the Governour and Council on or before the 13th Instant, and not otherwise.

Petition of
John Calef
bro't down.

Sent down for Concurrence.

Read and concur'd.

Petition of
Elijah Clap.

A Petition of *Elijah Clap* of *Middleborough* in the County of *Plymouth*, praying that the Justices of the Court of General Sessions of the Peace for said County may be impowered to Licence him an Innholder, for the Reasons mentioned.

Read and *Ordered*, That the Prayer of the Petition be so far granted, that the Justices of the Court of General Sessions of the Peace for the County of *Plymouth*, be and hereby are impowered at their next Term (if they think fit) to Licence the Petitioner to be an Innholder in the Town of *Middleborough*, he obtaining the Approbation of the Select Men of said Town, the Time for granting of Licences being elapsed notwithstanding.

Sent up for Concurrence.

Report on
Petition of
John Hooker.

The Committee appointed on the Petition of *John Hooker*, reported.

Read and accepted, and *Ordered*, That there be allowed and paid out of the publick Treasury the Sum of *three Pounds* to *Oliver Partridge*, Esq; and by him to be paid to the Petitioner *John Hooker*, in full for his Services and Sufferings mentioned in the Petition.

Sent up for Concurrence.

Then the House adjourn'd till to Morrow Morning nine o'Clock.

Sabbati 9. Die Novembris, A. D. 1754.

Petition of
John Goldsbury &c. bro't
down.

John Otis, Esq; brought down the Petition of *John Goldsbury* and *Simon Slocumb*, Committee of the second Precinct in *Wrentham*, with a Report of a Committee of both Houses thereon, as follows, viz.

The Committee to whom was referred the Petition of *John Goldsbury* and *Simon Slocumb*, having met, heard the Parties, and well considered the same, are of Opinion, That the Prayer of the Petition be so far granted, as that the Westwardly Precinct in *Wrentham* be set off a District, agreeable to the Votes of the Town of *Wrentham* in *May* last, so far as it Respects their Bounds: And whereas there are divers other Things petitioned for in said Petition, we are of Opinion, they are not reasonable; saving that the said petitioned for District enjoy their common Rights according to their Interest within said Town of *Wrentham*: And whereas a small Part of the Inhabitants of the Westwardly Precinct in *Wrentham* have lately been set off to the new Precinct in *Medway*, so far as Respects the Minister's Rates, we are of Opinion that they continue in that Situation if the Westerly Precinct in *Wrentham* be made a District as petitioned for.

Signed *John Greenleaf*, per Order.

Pas'd in Council, viz. In Council *Novemb. 8th 1754.* Read and accepted with this Amendment, viz. That the Inhabitants of the said West Precinct in *Wrentham* shall hold and enjoy their Rights in the Land that lieth between the two great Ponds or the Produce thereof, agreeable to a Vote of the Proprietors of the 31st Day of *Jannary 1743*, in like Manner as they the said Inhabitants would have done by Force of said Vote, in Case they had by this Court been made a Township.

Sent down for Concurrence.

Read

Read and non-concur'd, and *Ordered*, That the said Petition and Papers be recommitted to said Committee for further Consideration, and that Capt. *Livermore* be of the Committee in the Room of Mr. *Stevens*, who is absent. Sent up for Concurrence.

Sundry Petitions respecting the Western Frontiers, viz. from the Reverend Mr. *Edwards* of *Stockbridge*, Capt. *Israel Ashley* of *Westfield*, *David Ingersole*, Esq; Lieut. *Ebenezer Shelden*, and sundry Inhabitants of *Colerain*. Letters from the Western Frontiers.

Read and *Ordered*, That they be committed to the Committee appointed to consider the State of the Western Frontiers, and that Capt. *Ruggles*, Capt. *Richardson*, Col. *Prebble*, and Col. *Storer*, be added on the Part of the House, to the Committee, and that they take under Consideration the whole Frontier both West and East, and report as soon as may be. Sent up for Concurrence.

A Petition of *Samuel Morse* of *Natick*, Guardian to *Sarah Wabon*, an Indian Child of said *Natick*, praying he may be enabled to sell Part of the Land belonging to said *Sarah*, for the Reasons mentioned. Petition of Sam. Morse.

Read and committed to Col. *Lawrence*, Capt. *Livermore*, and Col. *Richards*, to consider and report thereon.

A Bill Intituled *An Act for setting off the Inhabitants as also the Estates of the Westerly Part of Oxford, and also the Westerly Part of the Country Gore into a separate District by the Name of* ——— Bill for a District.

Read a first Time.

And *Ordered*, That the Bill have a second Reading Tuesday next three o'Clock Afternoon.

A Bill Intituled *An Act for granting to his Majesty an Excise upon Rum, Brandy and other Spirits distilled &c.* Excise Bill engros'd.

Read a third Time and pass'd to be engros'd.

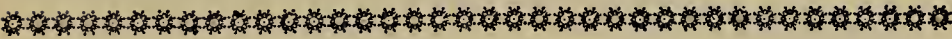
Then the House adjourn'd 'till Monday next three o'Clock Afternoon.





VOTES

Of the House of Representatives.



Lunæ 11. Die Novembris, A. D. 1754.

Ordered, That Col. *Brattle*, Col. *Choate*, Col. *Lawrence*, Committee to carry up the engros'd Excise Bill.
Col. *Prebble*, Major *Hawley*, Col. *Dwight*, and Mr. *Gibbs* of *Newton*, be a Committee to carry up to the honourable Board the engros'd Bill Intituled *An Act for granting an Excise to his Majesty on Rum Brandy and other distilled Spirits, &c.*

The Secretary brought down a Message from his Excellency the Governor's Message to both Houses;
Governour to both Houses; which he read and laid on the Table: And is as follows.

Gentlemen of the Council and House of Representatives,
I Must desire you would give the utmost Dispatch to the Affair I laid before you in my Message sent you on Wednesday last, occasioned on the Attack made by the Indians on some of the Garrison of Fort-Hallifax, and the Disaster ensuing thereupon.

I stop'd the Country Sloop and the Commander of Fort-Hallifax (who is embarked a-board her) till I could determine what Orders to give on this Occasion: The Sloop being loaded with the Winter Stores for the several Forts in the Eastern Parts must go forth to St. Georges and Pemaquid to be discharged of some Part of her Lading before she will be able to go to Cusheknock with the Stores for Fort-Hallifax &c. For these and other Reasons, which must be obvious to you, I hope you will give this Business immediate Dispatch.

November 11th 1754.

W. SHIRLEY.

James Minot, Esq; brought down the Report of a Committee of both Houses on his Excellency's Message of Wednesday last, viz. Report of a Committee bro't down.
In Council November 9th 1754. Read and sent down.

The House took the said Report under Consideration, and after a Debate thereon, the Question was put, *Whether the House would accept the said Report?*
It pass'd in the Negative.

E e

On

Vote for in-
lifting or im-
pressing Men

On a Motion made and seconded by divers Members, *Voted*, That his Excellency the Captain-General be desired as soon as may be, to give Orders that thirty effective Men be inlifted or impressed, in order to reinforce the Garrison at *Taconick* on *Kennebeck-River*.

Then the House adjourn'd 'till to Morrow Morning nine o'Clock.

Martis 12. Die Novembris, A. D. 1754.

Vote for
suspending a
Presents to
the Indians.

ON a Motion made and seconded, *Voted*, That his Excellency the Governour be desired to suspend delivering the Presents ordered this Sitting of the Court for the *Norridgwalk* and *Penobscot* Tribe of Indians, until he obtain Satisfaction they were not concerned in the late Attack upon the English near the Garrison at *Taconick* on *Kennebeck-River*. Sent up for Concurrence.

Committee
for Inquiry.

Ordered, That Col. *Prebble*, Capt. *Marcy*, and Major *Williams*, be a Committee to enquire of the Commissary-General, whether he has any Snow-Shoes and Moggafons among the Province Stores, and examine (if so) whether they are fit for Use.

Who reported they had enquired of the Commissary, and viewed the Stores, and there find about twenty Pair of Snow-Shoes that may be useful for some Time, but no Moggafons.

Order rela-
ting to Snow
Shoes &c.

Ordered, That the Commissary-General be directed to provide one Hundred Pair of Snow-Shoes, and as many Pair of Moggafons, and lodge the same at the Garrison at *Taconick*, for the Use of the Soldiers that may be posted there from Time to Time.

Report of a
Committee
on the Peti-
tion of *Sam.*
Stevens, &c.

The Committee appointed on the Petition of *Samuel Stevens* and *Ebenezer Pierpont*, a Committee of the Proprietors of *Gardner-Canada-Township* (so called) reported.

Read and accepted. Which Report is as follows, *viz.*

Whereas this Court passed an Order at their Session in April 1753, that a Committee then appointed and fully impowered for that Purpose in Behalf of this Province, should enter upon and take Possession of all those Tracts of Land, with the same heretofore granted by this Court on Condition of Settlement within a limited Time, wherever such Settlement shall not be compleated within eighteen Months from passing that Order, in as ample a Manner as was required by each respective Grant: And whereas the Petitioners have not compleated the Settlement of the Tract granted them by this Court according to the Conditions of the Grant, by Reason of the Hostilities committed by the Indians the Year past in that Part of the Province:

Therefore,

Voted, That the Petitioners be allowed a further Time, not exceeding one Year from this Date, to compleat the Settlement of said Tract, the foregoing Order to the contrary notwithstanding.

Sent up for Concurrence.

The Committee appointed on the Petition of *Ebenezer Wilkins*, as entered the first of this Instant *November*, reported.

Report on
Petition of
Eben. Wilkins

Read and accepted, and *Ordered*, That the Prayer of the Petition be so far granted, as that the Petitioner be allowed and paid out of the publick Treasury the Sum of *nine Pounds one Shilling and four Pence* in full for his Expences &c.

Sent up for Concurrence.

James Minot, Esq; brought down the Petition of *Mary Burleigh* and *John Crocker*. Pass'd in Council, *viz.* In Council *November* 6th 1754. Read and *Ordered*, That the within *Mary*, on her Brother *Andrew's* paying her the Sum of *one Hundred and forty six Pounds thirteen Shillings & four Pence*, is allowed and impowered to execute to him a Quit-claim of her Right to the Estate within-mentioned, and that the said Instrument be a good Title of the Premisses to the said *Andrew* his Heirs and Affigns for ever.

Petition of
Mary Burleigh brought
down.

Sent down for Concurrence.

Read and concur'd.

James Minot, Esq; brought down a Bill Intituled *An Act for granting further Powers to the Courts of Probate in certain Causes in the Settlement of Estates of Persons deceased*. In Council *October* 8th 1754. Read a first Time. *October* 22d a second Time, and pass'd to be engross'd.

Bill brought
down and
read.

Read a first Time.

The Committee appointed on the Petition of *Abigail Whitney*, as entered the 5th Currant, reported.

And thereupon *Ordered*, That the Petitioner serve the adverse Party *Solomon Whitney*, with a Copy of this Petition, that he shew Cause (if any he have) on the second Wednesday of the next Sitting of the Court, why the Prayer thereof should not be granted.

Report on
Petition of
Abigail Whitney.

Sent up for Concurrence.

Post Meridiem.

Isaac Royall, Esq; brought down a Vote pass'd the House this Day. Pass'd in Council, *viz.* In Council *November* 12th 1754. Read and concur'd with the Amendment as taken into a new Draught, *viz.* In Council *November* 12th 1754.

Vote relating to
the Present to
Indians bro't
down.

Voted, That His Excellency be desired to order the Whole or any Part of the Presents intended for the *Penobscot* and *Norridgewalk* Indians, to be delivered, or the Delivery thereof to be suspended, according as it shall appear to him will be most for the publick Service.

Sent down for Concurrence.

Read and concur'd.

On a Motion made and seconded, *Ordered*, That *Col. Dwight*, Major *Hawley*, and Capt. *Joseph Williams*, be a Committee to take under Consideration the Act granting an Excise upon Tea &c. and report what is further necessary to be done to secure the said Excise.

Committee
on the Ex-
cise on Tea
&c.

Then the House adjourn'd till to Morrow Morning nine o'Clock.

Mercurii 13. Die Novembris, A. D. 1754.

Petition of
Eben. Wadsworth
and
others.

A Petition of *Ebenezer Wadsworth* and others, praying this Court would forbid any Person's being imprisoned or his Goods or Chattles distrained for, to pay any Minister's Rates, on whose Ministry they don't attend &c. for the Reasons mentioned.

Read and *Ordered*, That Major *Hawley*, Capt. *Ruggles*, Col. *Choate*, Col. *Hale*, and Mr. *Witt*, with such as the honourable Board shall join, be a Committee to take the said Petition under Consideration, and report what it may be proper for this Court to do thereon.

Sent up for Concurrence.

Petition of
Thomas Green
and others.

James Minot, Esq; brought down the Petition of *Thomas Green* and others. Pass'd in Council, viz. In Council *June 5th 1754*. Read. *And for as much as this Petition contains several indecent Reflections on the Laws and Legislature of this Province*: Therefore *Ordered*, That it be dismiss'd. Sent down for Concurrence.

Read and concur'd.

Petition of
John Procter
and others
bro't down.

James Minot, Esq; brought down the Petition of *John Procter*, in Behalf of himself and several Societies of People called Baptists. Pass'd in Council, viz. In Council *October 26th 1754*. Read and dismiss'd. Sent down for Concurrence.

Read and concur'd.

Bill engross'd.

A Bill Intituled *An Act for setting off the Inhabitants, as also the Estates of the Westerly Part of Oxford, and also the Westerly Part of the Country Gore into a seperate Town by the Name of*

Read a first second and third Time and pass'd to be engross'd.

Sent up for Concurrence.

Report on
Petition of
Mary Belknap.

The Committee on the Petition of *Mary Belknap*, as entred the 18th of *October* last, reported.

Read and accepted, and *Ordered*, That the Prayer of the Petition be granted, and that the Petitioner in her Capacity be and hereby is impowered with the Advice and Consent of the Guardian mentioned in the Petition, to make Sale of the Lands & Buildings, for the most they will fetch, to such Person or Persons as shall appear to purchase the same, and to execute a good and sufficient Deed or Deeds thereof in the Law, she observing the Rules of the Law for the Sale of Intestate Estates, and give proper Caution to the Judge of Probate for the County of *Middlesex*, to pay the Debts mentioned in the Petition, and two Thirds of what shall remain to be put into the Hands of the Guardian of said Children for their Use and Benefit, and the Principal of the other Third to be secured for said Children or their lawful Heirs after the Decease of said *Mary*, and she to receive the Interest of said Third in Lieu of her Dower during Life.

Sent up for Concurrence.

Committee
for Enquiry.

On a Motion made and seconded, *Ordered*, That Major *Williams*, Mr. *William Bowdoin*, and Mr. *James Russell*, be a Committee to make Enquiry whether a List is drawn out of the Rolls in the late Treasurers Hands, of the Soldiers who have not been paid their Wages agreeable to the Order of this House.

The

The Committee appointed to purchase Fire-Arms for the Government, communicated a Letter they had received from Mr. Agent *Bollan*, relating thereto, dated *Pall-Mall, September 16th 1754.* Which was read. A Letter from Agent *Bollan*, communicated.

Sylvanus Bourn, Esq; brought down the Petition of *Nicholas Se-ver*, Esq; Pass'd in Council, viz. In Council *November 9th 1754.* Read and Ordered, That the Prayer of the Petition be so far granted, as that the Petitioner be enabled to give said Copy of said Deed from *James Thomas* to *Joseph Pratt* in Evidence upon any Trial he may have in the Law relating to the said eighty Acres of Land, and that the said Copy be adjudged good Evidence of the said *Joseph's* Title to said eighty Acres, and that the Breadth thereof be accounted forty Rods only, according to the true Intent of the Parties, it being called fifty Rods in said Deed, as it stands upon Record, notwithstanding. Petition of *Nicholas Se-ver*, bro't down.

Sent down for Concurrence.
Read and concur'd.

Joseph Pyncheon, Esq; brought down the Petition of the Town of *Boston*. Pass'd in Council, viz. In Council *November 8th 1754.* Read again, with the Answer of *Andrew Oliver*, Esq; and Mr. *William Phillips*, and Ordered, That *Eleazer Porter*, and *Benjamin Lincoln*, Esqrs; with such as the honourable House shall join, be a Committee to hear the Parties, and consider this Petition and Answer, and make Report. Petition of *Boston*, bro't down.

Sent down for Concurrence.

Read and concur'd, and Col. *Hale*, Capt. *Ruggles*, and Col. *Brattle*, are joined in the Affair.

John Hill, Esq; brought down the Petition of *Anthony Lony*. Pass'd in Council, viz. In Council *November 7th 1754.* Read and Ordered, That the Prayer of this Petition be so far granted, as that the Execution therein mentioned be staid until Judgment be rendred upon the Review of the two Actions brought by the Petitioner against the Executor *Benjamin Dutch*, provided the said Petitioner give sufficient Security to the Sheriff of the County of *Essex* to pay the Sum recovered against him by the said Executor, together with double Interest therefor, until final Judgment shall be rendred on the Actions aforesaid, said Interest to commence from the Time when he recovered Judgment against said Executor at the Superior Court held in *Salem* in *October* last. Petition of *Anthony Lony*, bro't down.

Sent down for Concurrence. Read and concur'd.

James Minot, Esq; brought down the Petition of *Ebenezer Wadsworth* and others. Pass'd in Council, viz. In Council *November 13th 1754.* Read and non-concur'd, and Ordered, That this Petition be dismiss'd. Petition of *Eben. Wadsworth* and others bro't down.

Sent down for Concurrence.

Read and concur'd.

A Petition of *William Wentworth* and others, Inhabitants of the second Parish in *Falmouth*, praying that the said Parish may be divided into two Parishes, for the Reasons mentioned. Petition of *William Wentworth* and others.

Read and *Ordered*, That the Petitioners serve the said Parish with this Petition, by leaving a Copy thereof with their Clerk, that they shew Cause (if any they have) on the second Thursday of the next Sitting of the Court, why the Prayer thereof should not be granted.

Sent up for Concurrence.

Ordered, That Col. *Hale* and Mr. *Allen*, be of the Committee on the Union &c. in the Room of Judge *Russell* and Col. *Otis*, who are absent.

Sent up for Concurrence.

Report on
Petition of
Sam. Morfe.

The Committee appointed on the Petition of *Samuel Morfe*, as entred the 9th Instant, reported.

Read and accepted, and *Ordered*, That the Prayer of the Petition be so far granted, that the Petitioner be and hereby is fully empowered in said Capacity, with the Advice and Consent of the Guardians of the *Natick* Indians, to sell so much of the Land belonging to the Indian Child mentioned in the Petition, as will be sufficient to discharge the Petitioner his Expences for the Support of said Child to this Time, and to give a good and sufficient Deed or Deeds of the same to such Person or Persons as are the Purchasers.

Sent up for Concurrence.

[*Elizabeth*] Petition of
Elis Noyce.

A Petition of *Elis Noyce* of *Stonington*, in the Colony of *Connecticut*, praying that she may be empowered to join with her Sisters to make Sale of some old Buildings in *Boston*, and Wood-Land in *Kingston*, for the Reasons mentioned.

Read and committed to Mr. *Hall*, Mr. *John Hunt*, and Mr. *Quincy*, to consider and report thereon.

Sent up for Concurrence

Then the House adjourn'd till to Morrow Morning nine o'Clock.

JOVIS 14. Die Novembris, A. D. 1754.

Report of
Committee
on Treasur-
er's Ac-
counts.

THE Report of the Committee appointed to burn sundry Government Securities in the Recess of the Court, which was read the 18th of *October* last, was again taken under Consideration, and is as follows, viz.

Boston, September 6th 1754. Received of Mr. Treasurer *Gray*, Five Hundred and thirty one Government Securities redeemable the 20th of *January* last, amounting to *Five Thousand thirty four Pounds seven Shillings & ten Pence*; the Interest thereon *four Hundred and forty Pounds three Shillings*, making in the whole *Five Thousand four Hundred seventy four Pounds ten Shillings & ten Pence*. Also Government Securities redeemable the 31st of *December 1751*, amounting to *One Hundred forty six Pounds fifteen Shillings & six Pence*, the Interest paid thereon *twenty eight Pounds fourteen Shillings and eight Pence*, making in the whole *One Hundred seventy five Pounds ten Shillings & two Pence*: Also seven Benefit Tickets with Interest *Fifteen Pounds fifteen Shillings*: Also *Nineteen Hundred & fifty nine Pounds*

Pounds eleven Shillings & six Pence, in old Tenor Bills, and Two Hundred forty four Pounds twelve Shillings, in Middle Tenor Bills, and Four Thousand five Hundred fifty seven Pounds nineteen Shillings & eight Pence, in last Emission Money; and forty one Pounds nine Shillings and four Pence, in Lawful Money Bills: All which Bills in Lawful Money, amounts to Two Thousand eight Hundred sixty four Pounds two Shillings & five Pence; which we have seen, with the above Securities, burnt and consumed to Ashes.

Signed *John Osborne*, per Order.

In Council October 18th 1754. Read and sent down.

Read again, accepted and Ordered, That Mr. Treasurer Gray be discharged of the several Sums aforesaid.

Sent up for Concurrence.

It appearing by a Certificate from the Province Treasurer, that the Town of Beverly are over-charged in the last Tax Act for their Representative's Pay the Sum of Two Pounds six Shillings and nine Pence, Ordered, That the said Sum be paid by the Province Treasurer to the Treasurer of the Town of Beverly.

Order on Beverly's Tax.

Sent up for Concurrence.

On a Motion made and seconded, Ordered, That Capt. Ruggles, prepare a Bill in Addition to an Act Intituled *An Act for upholding and regulating of Mills*.

Capt. Ruggles to prepare a Bill.

The Committee appointed to prepare an Addition to the Act granting an Excise upon Tea &c. reported.

Report on Excise for Tea, &c.

Which was read, and the Question was put, *Whether the same be accepted?*

It pass'd in the Negative.

And Ordered, That the said Committee prepare a Bill granting an Excise on Tea, Coffee and China Ware &c.

Ordered, That Mr. Nichols be of the Committee on the Petition of *Eliphalet Cary*, in the Room of Capt. Tyler, who is absent.

Mr. Nichols of a Committee.

Post Meridiem.

The Committee appointed on the Petition of *Joseph Plaisled*, Administrator on the Estate of *Joseph Plaisled*, Esq; deceased, reported.

Report on Petition of *Jos. Plaisled*.

Read and accepted, and thereupon Ordered, That the Petitioner serve the adverse Party, viz. the Administrator of *Samuel Walton*, deceased, with a Copy of the Petition, that he shew Cause, if any he have, on the first Friday of the next Sitting of the Court, why the Prayer thereof should not be granted. Sent up for Concurrence.

Ordered, That Capt. Ruggles, Col. Clap, Mr. Fletcher, Col. Choate, and Col. Lawrence, be a Committee to take under Consideration a Bill Intituled *An Act for dividing the County of York, &c.* which Bill was brought in the 29th of December last, and referred to this Time.

Committee on a Bill.

Ordered, That Mr. Quincy be of the Committee on the Petition of *Jeremiah Pomroy*, in the Room of Mr. Powell, who is absent.

Mr. Quincy on a Committee.

The

Report on
Petition of
Nelson Finny.

The Committee to whom was referred the Petition of *Nelson Finney*, as entred the 30th of *March* last and referred, reported.

Read and accepted, and *Ordered*, That the Petitioner be allowed out of the Monies belonging to the *Punkapoug* Indians, now in the Hands of *Samuel Miller*, Esq; the Sum of *twenty eight Pounds eighteen Shillings & eight Pence*, in full for *Medecines, Nursing Dieting, &c.* an Indian Man named *Matthias George*, belonging to the *Punkapoug* Tribe.

Sent up for Concurrence.

Petition of
Israel Rice.

A Petition of *Israel Rice* of *Sudbury*, praying that the Court of Sessions for the County of *Middlesex*, may be impowered to Licence him an Innholder, for the Reasons mentioned.

Read and *Ordered*, That the Prayer of the Petition be so far granted, as that the Justices of the Court of General Sessions of the Peace for the County of *Middlesex* at their next Term, be impowered (if they see Cause) to Licence the Petitioner to be an Innholder in the Town of *Sudbury*, he obtaining the Approbation of the Select Men of said Town, the Time for granting Licences being elapsed notwithstanding.

Sent up for Concurrence.

Then the House adjourn'd 'till to Morrow Morning nine o'Clock.

Ueneris 15. Die Novembris, A. D. 1754.

Vote on
Petition of
Mary Bill,
&c.

ON a Motion made and seconded by divers Members, *Voted*, That the House will reconsider their Vote for dismissing the Petition of *Mary Bill, Thomas Child, Jonathan Dwight, Gyles Tidmarsh, and Daniel Hewes*; and *Ordered*, That the Prayer of the Petition be so far granted, that the Justices of the Court of General Sessions of the Peace for the County of *Suffolk*, be impowered (if they see fit) to Licence the said *Mary* and *Jonathan* Innholders in the Town of *Boston*, and said *Thomas* a Retailer in said Town, the said *Gyles* a Retailer in *Hull*, and the said *Daniel* an Innholder in *Wrentham*; they severally obtaining the Approbation of the Select Men of the Towns to which they belong, the Time for granting Licences being elapsed notwithstanding.

Sent up for Concurrence.

Report on
Petition of
of *Eliphalet*
Cary.

The Committee appointed on the Petition of *Eliphalet Cary*, as entred the first Instant, reported.

Read and accepted, and *Ordered*, That the Prayer of the Petition be so far granted, as that the Petitioner be allowed and paid out of the publick Treasury the Sum of *six Pounds*, viz. *four Pounds* for the Doctor's Bill, and *two Pounds* for Nursing and other Charges mentioned in the Petition.

Sent up for Concurrence.

Petition of
Sam. Johnson
of *Lynn.*

A Petition of *Samuel Johnson* of *Lynn*, praying that the Court of Sessions for the County of *Essex* may be impowered to Licence him a Retailer, for the Reasons mentioned.

Read and *Ordered*, That the Prayer of the Petition be so far granted, as that the Justices of the Court of General Sessions of the Peace

Peace for the County of *Effex* be impowred (if they see fit) to Licence the Petitioner, at their next Term, to be a Retailer of spirituous Liquors in said Town, he obtaining the Approbation of the Select Men of the Town of *Lynn*, the Time for granting Licences being elapsed notwithstanding.

Sent up for Concurrence.

Ordered, That Capt. *Ruggles*, Major *Hawley*, and Col. *Partridge*, Committee be a Committee to prepare a Bill providing for the Payment of for a Bill. Officers and Witnesses in Criminal Cases, where the Party is acquitted.

The Committee appointed on the Petition of *Benjamin Pomroy*, as entered the 30th of *October* last, reported.

Read and accepted, and *Ordered*, That the Petitioner be allowed and paid out of the publick Treasury the Sum of *three Pounds* annually during the Pleasure of this Court, the first Payment to be made to Col. *Prebble*, and by him to be paid to the Petitioner. Report on
Petition of
Benj. Pomroy.

Sent up for Concurrence.

On a Motion made and seconded, *Ordered*, That Judge *Russell*, Col. *Saltonstall*, and Col. *Choate*, with such as the honourable Board shall join, be a Committee to prepare a Bill to regulate the Descents of Real Estates. Committee
for a Bill.

Sent up for Concurrence.

On a Motion made and seconded, *Ordered*, That Col. *Lawrence*, *Nathanael Russell*, Esq; and Col. *Prebble*, be a Committee to examine the several Laws of this Province made to prevent the Destruction of Fish, and report what they judge proper further may be necessary to be done by the Court for that Purpose. Committee
for examin-
ing Laws.

On a Motion made and seconded, *Ordered*, That Judge *Russell*, Col. *Saltonstall*, and Col. *Choate*, with such as the honourable Board shall join, be a Committee to make a Revival of the several Laws of this Province, and that it be done in the Recess of the Court, and the Committee paid therefor as this Court shall order, the said Committee to report from Time to Time as they shall prepare the Laws. Committee
for revival of
Laws.

Sent up for Concurrence.

Ordered, That a Message be sent to the honourable Board, to inquire whether they have pass'd on the Bill granting an Excise on spirituous Liquors, and if not, desire that it may be sent down. Message to
the Board.

Who returned he had delivered the Message.

John Greenleaf, Esq; brought down the said Bill from the honourable Board.

John Erving, Esq; brought down a Vote appointing a Committee to prepare a Bill to regulate the Descents of Real Estates. Pass'd in Council, viz. In Council *November* 15th 1754. Read and concurred, Vote of a
Committee
for a Bill
bro't down.

cur'd, and *Benjamin Lynde, John Cushing, Andrew Oliver, Thomas Hutchinson*, and *Stephen Sewall*, Esqrs; with such as the honourable House shall further add, are joined in the Affair.

Sent down for Concurrence.

Read and concur'd, and Major *Hawley*, Col. *Hale*, and Capt. *Ruggles*, are added to said Committee.

Post Meridiem.

Order on Petition of *Ezekiel Cushing*, &c. *Joseph Pyncheon*, Esq; brought down the Petition of *Ezekiel Cushing* and *Mary* his Wife. Pass'd in Council, viz. In Council Nov. 14th 1754. Ordered, That the Consideration of this Petition and Answer, be further referred to the second Wednesday of the next Sitting of this Court.

Sent down for Concurrence.

Read and concur'd.

Debate and Order on an *Excise-Bill*. The Bill Intituled *An Act for granting to his Majesty an Excise on Rum, Brandy, Wine and other distill'd Spirits &c.* was taken under Consideration ; and after a large Debate had thereon, and several Amendments made, Ordered, That the further Consideration thereof be referred till to Morrow Morning ten o'Clock.

Then the House adjourn'd 'till to Morrow Morning nine o'Clock.

Sabbati 16. Die Novembris, A. D. 1754.

Order on Petition of *Moody Russell* bro't down. *Sylvanus Bourn*, Esq; brought down the Petition of *Moody Russell*. Pass'd in Council, viz. In Council November 15th 1754. At a Motion of the Respondent, Ordered, That this Petition be further referred to the first Thursday of the next Sitting of this Court.

Sent down for Concurrence.

Read and concur'd.

A Bill Intituled *An Act for granting an Excise on Coffee, Tea &c.*

Read a first Time.

Bill read. A Bill Intituled *An Act for further Upholding and Regulating of Mills*. Read a first Time, and referred to the next Sitting of the Court for further Consideration.

Petition of *John Storer* Esq; & others A Petition of *John Storer*, Esq; and others, Inhabitants of the first Parish in *Wells*, praying that the Proceeding of the Parish Officers of said Parish may be confirmed, for the Reasons mentioned.

Read and committed to Mr. *Niles*, Col. *Richmond*, and Capt. *Edson*, to consider and report thereon.

Petition of *Benj. Newhall* of *Lynn*. A Petition of Capt. *Benjamin Newhall* of *Lynn*, in Behalf of the Select Men of said Town, praying that the Court of General Sessions of the Peace for the County of *Essex* at the next Term be directed and empowered to consider a-new the Presentment of the Grand-Jury against the said Town of *Lynn*, for not repairing the High-Way in said Town &c. for the Reasons mentioned.

Read

Read and *Ordered*, That the Prayer of the Petition be granted, and that the Justices of the said Court be impowered to consider the said Presentment a-new, and that Execution be stayed in the mean Time.

James Minot, Esq; brought down a Memorial of *Thomas Stevens*, praying this Court would pass an Act appointing proper Persons for assaying such Pot-Ash and Peal-Ash as shall be made in and exported out of this Province, for the Reasons mentioned. Pass'd in Council, viz. In Council *November* 16th 1754. Read and *Ordered*, That *Samuel Danforth* and *Joseph Pyncheon*, Esqrs; with such as the honourable House shall join, be a Committee to take this Memorial under Consideration, and report what they judge proper for this Court to do thereon, as soon as may be.

Memorial of *Thomas Stevens* relating to Pot-Ash. [Pearl-

Sent down for Concurrence.

Read and concur'd, and Col. *Brattle*, Capt. *Ashley*, and Judge *Russell*, are joined in the Affair.

John Wheelwright, Esq; brought down the Report of the Committee on the Complaint of the *Punkapoug* Indians, with the Papers accompanying the same : Which is as follows, *Viz.*

Report of a Committee of both Houses, relating to the *Punkapoug* Indians with Regard to Maj. *Shepard* & Col. *Miller*, their Guardians.

The Committee to whom was referred the Complaint of the *Punkapoug* Indians against Col. *Miller* and Major *Shepard*, Guardians to said Indians, together with the Answer of said Guardians, and also the Petitions of said Guardians after the Affair had been heard before the General Court in *January* last ; Pursuant to the Order of the Court on the first of *June* last, having repaired to the Indian Lands in *Stoughton*, said to be trespassed on, heard the Parties, and carefully examined the Witnesses produced by them ; beg Leave to report,

That it appeared to the Committee, that very great Strip and Waste of the Wood and Timber had been made on said Indians Land since and during the Time of Col. *Miller* and Major *Shepard*'s Guardianship.

That great Part of said Strip and Waste was made by the Privy and Connivance of one of the said Guardians, viz. Major *Shepard* ; that some Part of it was done by Major *Shepard* himself since his Appointment as Guardian to said Indians.

As to another Part of the Complaint against Major *Shepard* for his illegal Proceedings as a Justice of the Peace against *Samuel Moho* one of the *Punkapoug* Indians, the Committee are of Opinion, that said Proceedings of said Justice were altogether without Law, it appearing that the said Justice made and entred up a Judgment against the said *Samuel* in Favour of one Mr. *Jordan* for four Pounds old Tenor, neither *Jordan* the Plaintiff, nor *Samuel* the Defendant, nor either of their Attorneys being present at the Time thereof ; and tho' the Illegality of said Proceeding was observed to Major *Shepard* ; Upon which he answered, "It was no Matter for that, for it should not hurt him, meaning the said *Samuel* the Defendant ;" yet the said Justice sometime after, viz. when the said *Samuel* with his Wife and another of the *Punkapoug* Indians were held in Goal in *Boston*, by Vir-

tue

tue of a Mittimus from Mr. Justice *Hill*, upon an Affray between the said Indians and Major *Shepard* (and in which the Committee are humbly of Opinion that the last was the Aggressor) the said Major *Shepard* issued out Execution upon the Judgment entred up as aforesaid : And the Committee can't but particularly inform, that while the said *Samuel* with his Wife were held in said Goal, which was for the Space of a Month (during which Time the above said Execution was served upon the said *Samuel*) several of their Children being small, two of whom were intirely unable to help themselves, one of them being about sixteen Months old, the other two and half Years old, were left in a lonely Wigwam, where they must unavoidably have perished, notwithstanding any Relief afforded them by Major *Shepard*, one of their Guardians.

The Committee would further report as to Col. *Miller*, another of the Guardians of said *Indians*, that it appeared that said Col. *Miller*, is chargable with Indolence and want of Care, in trusting the Interest of said *Indians* so much to Major *Shepard*.

And whereas after the Affair had been heard by a former Committee and by the General Court, Col. Miller and Major Shepard, preferred their Petitions to the General Court in March and April last, wherein they declared their Innocence as to most of the Articles exhibited against them, and that the Witnesses produced against them on the Trial were perfidious Men, not regarding an Oath &c. and that they the said Guardians had material and incontestible Evidence in their Favour, they were not furnished with in the hearing of their Cause ; and thereupon the General Court appointed, viz. in June last, the present Committee to review and reconsider the whole Affair betwixt the said Guardians and the Punkapoug Indians :

The Committee beg Leave further to observe, That in order to discover the Truth, they applied their utmost Care in hearing and examining the Witnesses on both Sides ; and altho' it appeared that several of the Witnesses were very unwilling to declare the whole of what they knew in the Matter, and could not be induced to speak freely, tho' the Solemnity and the Obligation of an Oath was pressed upon them ; yet it was observable that those Witnesses were on the Part of Major *Shepard*, and that they held back that Part of their Testimony only which made against him ; and another Witness informed the Committee that Endeavours had been used to *suborn* him by Major *Shepard* ; who among other Things in his Testimony averred upon Oath to the Committee, Major *Shepard* being present, ' That the said Major *Shepard* came to him the Deponent not long before the Committee was there, and said to him, " For God's Sake, stand by me, or I am undone, and sign a Writing that he was faithful, and that he had dealt honestly and " faithfully as a Guardian." To whom the Deponent replied, ' How " can you expect I'll befriend you, when you have been so cruel " to me, and made me give a sixteen Pound Note : And the said " Major *Shepard* said, the sixteen Pound Note should be given up to " him.' And the Deponent further saith, that Major *Shepard* added, " But you must keep this very private ; you must not tell any Body " of

“ of it.” And the said Witness further declareth, that at another Time, *viz.* The Night before last, he, the said Major *Shepard* said to me, “ There are three honourable Gentlemen, a Committee, “ coming up ; you must be as sparing as you can ; in your speaking before them, be very moderate, and keep back what you can, “ except what’s drawn out of you ; and tell your Sons to do the like.” Which Circumstances, how surprizing they were to the Committee, and how far from supporting the Facts in Major *Shepard’s* Petition, they need not, as they apprehend, observe.

Upon the whole, the Evidence against Major *Shepard* is no Ways in the Opinion of the Committee invalidated : Wherefore,

The said Committee are humbly of Opinion, that the said Major *Shepard* for his great *Unfaithfulness* and *Breach of Trust* as Guardian to the *Punkapoug* Indians, the *Illegality* and *Barbarity* of his Proceedings as a Justice of the Peace against some of them ; ought by this Court to be mulcted the Sum of *Eighty Pounds* immediately, to be paid, or secured to be paid, into the Province Treasury ; and be rendred incapable for the future to sustain the Trust of Guardian to said Indians, or any Trust or Post of Honour under this Government ; and that a Bill be prepared accordingly.

And as to Col. *Miller*, Guardian to said Indians, the Committee are humbly of Opinion, that for his Indolence and Negligence in said Trust, his Confession and humbling himself therefor, and herewith exhibited, may place him in Favour again with the General Court.

And furthermore, as to the Accounts of Col. *Miller*, Major *Shepard*, and Capt. *Wifwall*, deceased, as Guardians to the *Punkapoug* Indians, the Committee are of Opinion they be allowed as they were amended by a former Committee, *viz.* That Col. *Miller*, Esq; be charged with *One Pound five Shillings and a Penny*, the Ballance of his Account, and with several Bonds and promissary Notes therein mentioned ; and that *John Shepard*, Esq; stand charged with *Eight Pounds eighteen Shillings & six Pence*, the Ballance of his Account ; and that there appears due to the Heirs of Mr. *Thomas Wifwall*, deceased, the Sum of *Three Pounds six Shillings & ten Pence half Penny*, the Ballance in his Favour.

Signed *Joseph Pynchon*, per Order.

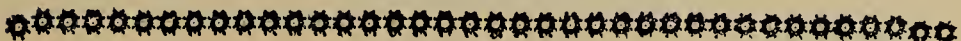
Pass’d in Council, *viz.* In Council *November 15th 1754.* Read and Ordered, That this Report be accepted, and that the Committee be directed to bring in a Bill accordingly.

Sent down for Concurrence. Read and concur’d.

Then the House adjourn’d ’till Monday next three o’Clock Afternoon.



H h



VOTES

Of the House of Representatives.

Lunæ 18. Die Novembris, A. D. 1754.

MR. Secretary came down from the honourable Board with a Message from His Excellency the Governour, to both Houses ; Which he read and laid on the Table. And which is as follows, viz.

Governor's
Message to
both Houses
relating to
Western
Frontiers.

Gentlemen of the Council and House of Representatives,
I Have received a Letter by Capt. Stevens from Col. Israel Williams, inclosing another Letter sent to him by Lieut. Woodbridge and others of Stockbridge, shewing the Danger that Town is in of an Assault from the Indian Enemy, and their Inability for making any Defence : I think it absolutely necessary, that some effectual Measures should be immediately taken for their Safety ; and therefore I desire you would now give me your Advice how to proceed in Relation to the Contents of these two Letters, and for curbing the St. Francois Indians, who seem to have been the chief Actors in the Mischiefs lately done in our Western Frontier.

November 18th 1754.

W. S H I R L E Y.

Mr. Secretary also brought down the Letters referred to in said Message.

Read and Ordered, That His Excellency's above Message, and Letters accompanying the same, be committed to the Committee of both Houses appointed to take under Consideration the State of the Frontiers, and they to sit forthwith, and report as soon as may be.

Sent up for Concurrence.

A Petition of Samuel Bais and Joseph Calef, praying that this Court would pass an Act prohibiting the Exportation of Raw Hides.

Petition of
Samuel Bais
&c.

Read and Ordered, That Col. Winslow, Col. Clap, and Mr. Quincy, with such as the honourable Board shall join, be a Committee to take this Petition under Consideration, and report what it may be proper for this Court to do thereon ; and also to consider what further Laws may be necessary to regulate Tanners, Curriers &c.

Sent up for Concurrence.

Resolve relating to Major Shepard.

Resolved, That Major *John Shepard* of *Stoughton*, has so behaved in his Breach of Trust as Guardian to the *Punkapoug* Indians, and in his Male Conduct as a Justice of the Peace, that he is unworthy of a Seat in this House, and that the Clerk of the House erase his Name out of the Roll, and that Mr. Speaker issue a Precept to the Town of *Stoughton* for the Choice of a Representative.

Order on a Bill.

A Bill Intituled *An Act to appoint Trustees to compleat the Affair of the Fifty Thousand Pounds Loan, and of the One Hundred Thousand Pounds Loan, so called, that are remaining behind in the County of Plymouth.* Read a first Time.

And *Ordered*, That the Bill have a second Reading to Morrow Morning ten o'Clock.

Report on Petition of *Eliz. Noyce*.

The Committee appointed to consider the Petition of *Elizabeth Noyce*, as entred the 13th Instant, reported.

Read and accepted, and *Ordered*, That the Prayer of the Petition be granted, and that the Petitioner be and hereby is enabled and impowered to join with her Sisters in the Sale of the Houses and Lands mentioned in the Petition, and with them to execute a good and sufficient Deed or Deeds thereof, she first giving Caution to the Judge of Probate for the County of *Plymouth*, and the Judge of Probate for the County of *Suffolk*, that the Monies arising by the Sale of her Part, be for the Benefit of her Children as mentioned in the Will of her late Mother Mrs. *Hannah Bradford*.

Report on Petition of Capt. *Ashley* bro't down.

Sent up for Concurrence.

John Cushing, Esq; brought down the Report of a Committee of both Houses on the Petition of Capt. *Israel Ashley*.

Signed *Jacob Wendell*, per Order.

In Council *November* 18th 1754. Read and sent down.

Read and *Ordered*, That the Prayer of the Petition be so far granted, as that two Companies be allowed *four Shillings* per Day each for Man, Horse &c. two Lieutenants *three Shillings* per Day, and the common Soldiers *two Shillings* per Day, for the Companies that were sent out for the Relief of *Sheffield*, *Stockbridge* and *Pontofuck*, in the late Alarm, as mentioned in the Petition.

Sent up for Concurrence.

Then the House adjourn'd till to Morrow Morning nine o'Clock.

Martis 19. Die Novembris, A. D. 1754.

Committee for a Bill.

Ordered, That Col. *Clap*, Mr. *Jones*, and *Nath. Russell*, Esq; be a Committee to prepare a Bill appointing Trustees in the several Counties, to compleat the Affairs of the *Fifty Thousand* and *One Hundred Thousand Pounds Loan*, &c.

Mr. Secretary brought down a Message from His Excellency to both Houses ; which he read and laid on the Table : And is as follows, *viz.*

Gentlemen

Gentlemen of the Council and House of Representatives,

As a general Design seems to be formed against the British Colonies on the Continent, I make no Doubt but that it will be tho't reasonable that the Charge of defending his Majesty's Interest should be born by the several Governments in some Proportion to their respective Abilities. I am endeavouring as well as I can to represent the Circumstances of this Province with Regard to the Estates, as well as Numbers of the Inhabitants. There is one Part of the Estate, viz. the Negro Slaves, which I am at a Loss how to come at the Knowledge of without your Assistance. If you will consider some Method, and do what is proper on your Part to carry it into Execution, in order to come at the exact Knowledge of all Negro Slaves, Male and Female, above sixteen Years of Age within this Government, as soon as may be, I imagine I shall be able to improve it to the Advantage of the Province.

Message
from the
Governour.

Council Chamber

W. SHIRLEY.

Nov. 19. 1754.

Read and Ordered, That his Excellency's above Message be taken into Consideration at twelve o'Clock.

John Hill, Esq; brought down the Report of a Committee of both Houses on the Petition of John Goldsbury and Simon Slocumb, a Committee of the second Parish in Wrentham.

Report on
Petition of
John Goldsbury
&c. bro't
down.

Signed John Greenleaf, per Order.

Pass'd in Council, viz. In Council November 15th 1754. Read and Ordered, That this Report be accepted.

Sent down for Concurrence.

Read and non-concur'd, and Ordered, That the Petition be dismiss'd.

A Bill Intituled *An Act in Addition to an Act Intituled An Act for granting to his Majesty an Excise on Coffee, Tea &c.*

Read a second Time, and Ordered, That the Bill have a third Reading to Morrow Morning eleven o'Clock.

Bill read.

A Petition of Nathanael Russell, Esq; in Behalf of Sarah Fox of Littleton, praying that the Court of Sessions of the County of Middlesex, may be impowered to Licence said Sarah an Innholder in the Town of Littleton, for the Reasons mentioned.

Petition of
Nath. Russell,
Esq; &c.

Read and Ordered, That the Prayer of the Petition be so far granted, as that the Justices of the Court of General Sessions of the Peace for the County of Middlesex at their next Term, be impowered (if they judge meet) to Licence the said Sarah Fox to keep a House of publick Entertainment in the Town of Littleton, the first obtaining the Approbation of the Select Men of said Town, the Time for granting of Licences being elapsed notwithstanding.

Sent up for Concurrence.

The House, according to Order, took under Consideration his Excellency's Message of this Day; and after due Consideration thereof, Ordered, That the Assessors of the several Towns and Districts within this Province forthwith send into the Secretary's Office the exact Number of the Negro Slaves both Males and Females, sixteen Years old and upward, within their respective Towns and Districts.

Order relating
to Negro
Slaves &c.

Sent up for Concurrence.

Ordered,

Committee
for an Ad-
dress.

Ordered, That Mr. Speaker, Mr. *Welles*, Col. *Winflow*, Col. *Storer*, and Mr. *Quincy*, with such as the honourable Board shall join, be a Committee to prepare an humble Address to his most excellent Majesty the King, that he would be graciously pleased to grant Relief to this Province under their present distressed Circumstances.

Sent up for Concurrence.

Post Meridiem.

Report of a
Committee
relating to
the Frontiers
bro't down.

John Otis, Esq; brought down a Report of a Committee of both Houses appointed to consider the State of the Frontiers ; which is as follows, *Viz.*

That they are of Opinion, that a Fort be built about half Way from *Fort-Massachusetts* to *Hudson's-River*, in the most convenient Place for the erecting the same ; and that a small Block-House be built at *New-Framingham*, and that lately built at *Pontoosuck* be continued until further Orders be given respecting the same ; and that a Committee be appointed by this Court to view the Western Frontier at *Fall-Town*, *Cheerly-Mount*, *Colerain*, *New-Framingham*, *Pontoosuck*, *Stockbridge*, and *Sheffield* : The said Committee to provide Materials and Workmen for building said Fort & Block-House ; the Block-House at *New-Framingham* not to be built, unless the Committee upon View judge it necessary ; and further, that said Committee determine what shall be allowed for the Garrison at *Pontoosuck*.

And the Committee are further of Opinion, that a Sum not exceeding *five Hundred and thirty Pounds*, be put into the Hands of the Committee that may be appointed ; said Sum to be employed in building said Fort and Block-House, and for that already built at *Pontoosuck*, and the Repairs of the Garrison built heretofore by the Province on said Frontier ; and such further Defence there, as they judge absolutely necessary.

Signed *Jacob Wendell*, per Order.

In Council *November 19th 1754.* Read and sent down.

Read and *Ordered*, That the foregoing Report be accepted.

Sent up for Concurrence.

Further Re-
port relating
to Frontiers.

John Otis, Esq; brought down a further Report of a Committee of both Houses appointed to take under Consideration the State of the Frontiers ; which is as follows, *Viz.*

That they are of Opinion, that a Committee be appointed to view the Frontier lying between *Connecticut* and *Merrimack*, viz. *Gardner's-Canada Township*, *Royalshire*, *Ipswich-Canada*, & *Dorchester-Canada*, and that *one Hundred Pounds* be put into the Hands of said Committee, and by them to be improved in building two Block-Houses, and repairing the Fortifications already built by the Province in said Townships.

In Council *November 19th 1754.* Read and sent down.

Read and *Ordered*, That the foregoing Report be accepted.

Sent up for Concurrence.

John

John Otis, Esq; brought down a further Report of a Committee of both Houses, appointed to take under Consideration the State of the Frontiers ; which is as follows, *Viz.*

Further Report relating to Frontiers.

The Committee appointed by this Court to take a View of the Eastern Frontiers, *viz.* A new Town above *Berwick*, *Phillips-Town*, *Saco* Truck-House, *Narragansett* *Gorham-Town*, *Sabago*, *New-Marblehead*, *Separappa*, *Phillips-Town* Mill, *Brunswick-Fort*, and *Topsham* ; and that there be put into the Hands of the said Committee the Sum of *four Hundred and seventy Pounds*, and by them to be improved in building a Fort at the ten Mile Falls on *Amneskoggin-River*, in Lieu of *Brunswick* Fort, and for repairing the several Garrisons in the abovementioned Places, and for strengthening the same against the common Enemy.

[*Androscoggin*]

[strengthening]

Signed

Jacob Wendell, per Order.

In Council *November* 19th 1754.

Read and sent down.

Read and Ordered, That the foregoing Report be accepted.

Sent up for Concurrence.

John Otis, Esq; brought down the Draught of a Message prepared by a Committee of both Houses, in Answer to his Excellency's Message of Yesterday : Which is as follows, *Viz.*

Message of both Houses to his Excellency.

May it please your Excellency,

THE two Houses have taken under Consideration your Excellency's Message of Yesterday, with the Letters accompanying the same ; and beg Leave to acquaint your Excellency, that we apprehend it necessary, that You give Orders as soon as may be, for the inlisting or impressing forty Men (including eight already at *Upper-Sheffield*) for the Strengthening and Defence of *Stockbridge* and the Places adjacent, which are most exposed at this critical Conjuncture, when there appears great Danger of a total Defection of the *Stockbridge* Indians ; and that the Men be raised in the County of *Hampshire*, and continued in the Service a Term not exceeding six Weeks.

We would also humbly Request your Excellency to write to the Government of *Connecticut* to assist this Province in building, protecting and maintaining a Fort between *Fort-Massachusetts* and *Hudson's-River*.

We would further represent to your Excellency, we have not been able as yet maturely to consider that Part of your Message respecting the *St. Francois* Indians : We will take the same under Consideration, and give your Excellency our Sentiments thereupon as soon as may be.

In Council *November* 19th 1754. Read and sent down.

Read and accepted, and Ordered, That Mr. *James Bowdoin*, *John Chandler*, Esq; and Col. *Choate*, with such as the honourable Board shall join, be a Committee to wait on his Excellency the Governor with the foregoing Message. Sent up for Concurrence.

Committee to present the above Message.

Committee
on Soldiers
Pay

On a Motion made and seconded, *Ordered*, That Col. *Winslow*, Mr. *James Russell*, and Col. *Choate*, be a Committee to consider what Method may be taken speedily to pay off the Soldiers employed in the late Expedition up *Kennebeck-River*.

Then the House adjourn'd till to Morrow Morning ten o'Clock.

Mercurii 20. Die Novembris, A. D. 1754.

Petition of
Moses Willard and
Ruth Labaree.

A Petition of *Moses Willard* and *Ruth Labaree* of *Charlestown* in the Government of *New-Hampshire*, alias Number *Four*, praying that this Court would grant a Sum of Money to enable them to redeem their Friends out of Captivity, lately taken from Number *Four*, for the Reasons mentioned.

Read and *Ordered*, That the Petition be dismiss'd; for that the Redemption of those Captives is the proper Care, and ought to be at the Charge of the Government of *New-Hampshire*.

Memorial of
Belcher Noyes
bro't down.

John Otis, Esq; brought down the Memorial of *Belcher Noyes*: Pass'd in Council, viz. In Council *November* 19th 1754. Read and *Ordered*, That this Memorial be committed to the Committee appointed to prepare a Bill to Ascertain the Descent of Real Estates.

Sent down for Concurrence.

Read and concur'd.

Message to
the Board.

Ordered, That a Message be sent to the honourable Board to inform them, that this House propose to chuse by joint Ballot, Committees to build the Forts and repair the Garrisons on the Frontiers: One Committee for the Frontiers West of *Connecticut-River*; one for the Frontier between said River and *Merrimack*; and one for the Frontier in the Eastern Parts of the Province; and that each of said Committees consist of three Persons.

Message
from the
Board.

A Message from the honourable Board by *Josiah Willard*, Esq; informing that the Board agree to join with the House in chusing the Committees on the Frontiers; and that they propose to come on the Choice at four o'Clock Afternoon.

Ordered, That a Message go up to the honourable Board, to acquaint them that the House agree to the Time for chusing said Committees.

Committee
on trans-
porting
Stores.

On a Motion made and seconded, *Ordered*, That Col. *Storer*, Mr. *Turner*, and Mr. *Allen*, be a Committee to consider of some more easy Method to transport Stores to the Forts and Garrisons in the Eastern Parts of the Province.

Committee
for a Bill.

Ordered, That Col. *Saltonstall*, Judge *Russell*, and Col. *Choate*, with such as the honourable Board shall join, be a Committee to prepare a Bill to alter the Punishment of felonious Offenders, except in the Case of Murder.

Sent up for Concurrence.

Petition of
Robert Whatley.

A Petition of *Robert Whatley* of *Boston*, praying that the Justices of the Sessions for the County of *Suffolk*, may be impowered to Licence him a Retailer of such Beer as he may brew, for the Reasons mentioned.

Read

Read and *Ordered*, That the Prayer of the Petition be so far granted, as that the Justices of the Court of General Sessions of the Peace for the County of *Suffolk* be impowered to Licence the Petitioner a Retailer in the Town of *Boston* (of such Beer as he shall brew) he first obtaining the Approbation of the Select Men of said Town, the Time for granting of Licences being elapsed notwithstanding.

Sent up for Concurrence.

On a Motion made and seconded, that the House would reconsider their Vote passed this Sitting, dismissing the Petition of the Select Men of *Wenham*, wherein they pray that the said Town may be released of the Fine of *ten Pounds* imposed on said Town the last Year for not sending a Representative ;

Question on
Wenham Pe-
tition.

The Question was put, *Whether the Town of Wenham shall released the said Fine ?*

It pass'd in the Negative.

Ordered, That Col. *Choate* go up to the honourable Board, and desire they would dispatch the Business of the greatest Importance lying before them, that the Court may have a Recess, if his Excellency pleases.

Message to
the Board

A Bill Intituled *An Act relating to Barberry Bushes*.

Read a first Time : And *Ordered*, That the Bill have a second Reading to Morrow three o'Clock Afternoon.

Bill read.

A Bill Intituled *An Act in Addition to an Act Intituled An Act for granting to his Majesty an Excise on Coffee, Tea &c.*

Bill en-
grofs'd.

Read a third Time, and pass'd to be engross'd.

Sent up for Concurrence.

Post Meridiem.

Ordered, That Major *Hawley*, Col. *Choate*, and Judge *Russell*, with such as the honourable Board shall join, be a Committee to tell and sort the Votes for the Choice of the Committees to erect the Forts &c. on the Frontiers.

Committee
for sorting
Votes.

Ordered, That Judge *Russell* go up to the honourable Board, and acquaint them that the House is ready to proceed to the Choice of the Committees to erect the Forts on the Frontiers ; and that they propose to begin with that Part West of *Connecticut-River*.

Message to
the Board.

A Message from the honourable Board by *John Hill*, Esq; to acquaint the House, that they are ready to proceed to the Choice of said Committees.

Message
from the
Board.

The said Committee of the House for counting the Votes &c. carried up the Votes for three Persons for a Committee on that Part of the Frontiers West of *Connecticut-River*.

Committee
West of *Con-
necticut River*

Who returned that three were chosen, viz. Major *Elijah Williams*, Capt. *Timothy Ruggles*, and Major *Joseph Hawley*.

The said Committee carried up the Votes for three Persons for a Committee on that Part of the Frontiers between *Connecticut* and *Merrimack-Rivers*.

Between
Connecticut
and *Merri-
mack-Rivers*.

Who returned that three were chosen, viz. Col. *James Minot*, Capt. *William Richardson*, and Major *John Chandler*.

The

Eastern Parts
of the Pro-
vince.

The said Committee carried up the Votes for three Persons a Committee on that Part of the Frontier at the Eastern Part of the Province.

Who returned that three were chosen, viz. Col. *Jedediah Prebble*, Major *Joseph Gerrish*, and *Caleb Cushing*, Esq:

Bill enacted.

An engross'd Bill Intituled *An Act for setting off the Inhabitants of the Westerly Part of Oxford, and also the Westerly Part of the Country Gore, into a separate Town by the Name of*——

Read and Resolved, That the Bill pass to be enacted.

Then the House adjourn'd 'till to Morrow Morning nine o'Clock.

JOVIS 21. Die Novembris, A.D. 1754.

Petition of
Thomas Colby.

A Petition of *Thomas Colby* of *Almsbury*, praying he may be allowed the same Wages as his Fellow Soldiers were, for his Service in the Eastern Parts of the Province, at the Time of the intended Expedition to *Canada*.

Read and Ordered, That the Petition be committed to Mr. *Witt*, Col. *Storer*, and Capt. *Livermore*, to consider and report thereon.

Report on
Petition of
John Storer,
Esq; &c.

The Committee appointed on the Petition of *John Storer*, Esq; and others Inhabitants of the first Parish in *Wells*, reported.

Read and accepted, and Ordered, That the Prayer of the Petition be granted, and that all the Proceedings of the first Parish in the Town of *Wells* at their past Parish Meetings, which ought to have been held in the Month of *March* annually, be established and confirmed to all Intents and Purposes, as if they had been held in said Months of *March*, provided they are otherwise agreeable to Law.

Sent up for Concurrence.

Bill read.

A Bill Intituled *An Act in Addition to an Act Intituled An Act to prevent Default of Appearance of Representatives to serve in the General Assembly made in the fifth Year of King William and Queen Mary*.

Read a first Time: And Ordered, That the Bill have a second Reading to Morrow Morning ten o'Clock.

Mr. Secretary brought down a Message from his Excellency the Governour; which he read and laid on the Table: And is as follows, viz.

Gentlemen of the House of Representatives,

Governor's
Message
relating to
Gen. *Win-*
slow.

It is proper I should acquaint you that Major General *Winslow*, to whom I gave the chief Command in the late Expedition to the Eastward, is so situated in his Majesty's Service, that it would be improper for him to be made up in the Roll of Pay with the other Officers of the Regiment: His good Conduct and indefatigable Vigilance in that Post are so well known to you, that I doubt not you will think they claim a suitable Recompence for his Services: I must therefore recommend it to you to make him such an Acknowledgement for them as will at the same Time be for the Honour of the Province and Encouragement of Gentlemen of Abilities to serve it, to enter into its Service upon future Occasions with the same Spirit and Zeal which he did.

Nov. 21. 1754.

W. SHIRLEY.

Read

Read and Ordered, That his Excellency's foregoing Message be taken under Consideration at three o'Clock Afternoon.

A Bill Intituled *An Act for the Supply of the Treasury with the Sum of six Thousand Pounds ; and for applying the same for Payment of the Forces in the late Expedition at Kennebeck, for the Payment of Transports, and the Commissary's Disbursements.* Supply Bill read.

Read a first Time : And Ordered, That the Bill be read a second Time at four o'Clock Afternoon.

A Bill Intituled *An Act to appoint Trustees to compleat the Affairs of the two Fifty Thousand Pounds Loans &c.* Bill read.

Read a first Time : And Ordered, That the Bill lie on the Table.

Ordered, That Mr. Foster, Col. Choate, Col. Bradford, and Col. Hale, be added to the Committee appointed to consider the Bill Intituled *An Act for the better securing Grants to pious Uses &c.* Committee on a Bill.

Ordered, That Col. Choate be added to the Committee on the Western Lands, &c.

The Committee to whom was referred the Petition of the Select Men of the Town of *Bridgewater* &c. as entred the 18th of October last, reported.

Report on
Petition of
Select Men
of Bridge-
water &c.

Read and accepted, and Ordered, That the Town of *Pembroke* pay unto the Town of *Bridgewater*, the Sum of *four Pounds sixteen Shillings*, being that Part of the Town of *Bridgewater's* Proportion to pay in the last Tax, that was annexed to *Pembroke*, and that for the future the Town of *Bridgewater* be abated the Sum of *five Shillings & four Pence* in their Proportion to a Tax of *One Thousand Pounds*, and the same be added to *Pembroke's* Proportion : That the Town of *Pembroke* also pay to the Town of *Hanover* the Sum of *three Pounds nineteen Shillings*, being that Part of the Town of *Hanover's* Proportion, to pay in the last Tax, that was annexed to *Pembroke* ; and that for the future the Town of *Hanover* be abated the Sum of *five Shillings & four Pence* in their Proportion to a Tax of *One Thousand Pounds*, and that the same be added to the Town of *Pembroke's* Proportion : That the Town of *Pembroke* also pay to the Town of *Abington* the Sum of *twelve Shillings*, being that Part of the Town of *Abington's* Proportion to pay in the last Tax that was annexed to *Pembroke* ; and that for the future the Town of *Abington* be abated the Sum of *three Pence* in their Proportion to a Tax of *One Thousand Pounds*, and that the same be added to the Town of *Pembroke's* Proportion.

And as for the Town of *Hallifax*, the Committee having received no Information what Part thereof was annexed to *Pembroke*, can make no Report in Relation to that Town.

Sent up for Concurrence.

Post Meridiem.

Order on Governor's Message. According to Order, the House took under Consideration His Excellency's Message of this Day ; and after a Debate thereon, Ordered, That it lie for further Consideration.

Message to the Board. Ordered, That Col. *Storer* go up to the honourable Board to inquire whether they have pass'd on the Bill granting an Excise upon Wine, Rum, and other distilled Spirits &c.
Who returned he was informed the Bill was non-concur'd.

Message to the Board relating to the Excise Bill. On a Motion made and seconded by divers Members, Ordered, That Col. *Choate*, Major *Hawley*, Mr. *Welles*, Col. *Hale*, and Mr. *James Russell*, go up with a Message to the honourable Board, and desire them to reconsider their Vote of Non-concurrence upon the Bill granting an Excise upon Wine, Rum &c. in as much as the House apprehend the Method therein provided is the most salutary for the Province ; and that they would give it the greatest Dispatch, that the Court may have a Recess as soon as may be.

Bill read. A Bill Intituled *An Act for the Supply of the Treasury with the Sum of six Thousand Pounds, and for applying the same &c.*
Read a second Time.

Then the House adjourn'd 'till to Morrow Morning ten o'Clock.

Veneris 22. Die Novembris, A. D. 1754.

Petition of Boston Assessors bro't down. **I** *Saac Royall*, Esq; brought down the Petition of the Assessors of the Town of *Boston*, with a Vote of Council thereon, viz In Council November 21st 1754. Ordered, That *Samuel Danforth*, and *John Otis*, Esqrs; be of the Committee on the foregoing Petition, in the Room of *Eleazer Porter* and *Benjamin Lincoln*, Esqrs; who are absent ; and that the said Committee sit forthwith.

Sent down for Concurrence. Read and concur'd.

Bill read. A Bill Intituled *An Act relating to Barbary Bushes.*
Read a second Time.

Message from the Board relating to an Excise Bill. Mr. Secretary, with a Committee of the Board, brought down the following Message : Which the Secretary read, and laid on the Table : And is as follows, viz.

In Council November 21st 1754.

Ordered, That the following Message be sent down to the honourable House of Representatives, viz.

THE Bill for granting an Excise on Rum, Brandy, &c. appears to the Board to contain many new Matters, and of an extraordinary Nature ; to be unnecessarily burthensome to a considerable Number of his Majesty's Subjects ; and to have a Tendency to discourage the Trade and Manufactures of the Province.

The

The Board have no Exception to the general Design of the Bill, in subjecting all the Liquors that shall be expended in the Province to an equal Duty ; nor to the changing the Manner of raising the Duty, by laying it on the Manufacturer and Importer, instead of the Retailer : But they are apprehensive, that if the Duty on the Stills be farmed, the Province is in Danger of losing a great Part of the Revenue : There having never any Trial been made, the Amount of it must be very uncertain ; a Farmer may put many Thousand Pounds in his Pocket, and no Person but himself to make any Judgment of it ; and this for a Number of Years together, if the Government should pursue this Method ; and there is not the same Exception to Collectors in this Way of raising the Duty, as when it is raised from Retailers &c. the Distillers being all known, and the Nature of the Business such, as it cannot be carried on in secret ; and their Oath faithfully to Account, will be as obligatory, and have the same Tendency to exact the full Duty from them, when it is paid to a Collector, as when it is paid to a Farmer. And altho' it may be urged, that the Government's Collectors would not be so active in detecting any fraudulent Importation of Liquors into the Province, as a Farmer would be ; yet it appears to the Board, that if the Excise on Retailers and other licensed Persons was farmed, and such licensed Persons were obliged to render an Account upon Oath, whether they imported the Liquors themselves, and if not, from whom they purchased them ; and if the Retailers, being Importers or otherwise, such Persons of whom they purchased, should be obliged, when required, to make it appear, that the Liquors by them sold had paid the Duty of Excise, due from the Distiller, or of Impost, due from the Importer ; this would in a great Measure prevent any illicit Importation.

The requiring Bond from the Distillers may be a very great Burden upon some of them : And the Board are of Opinion, that if their Stills and Utensils were made liable for the Payment of the Duty, in Case of Failure in the Distiller, it would be a less Burthen on them, as effectual for the Security of the Government, and more agreeable to the Provision made by Acts of Parliament in Cases of the like Nature.

The Board are also of Opinion, that it would be a further unnecessary Burthen on the Distillers, to make them liable to the Duty on Rum exported, where a Certificate is not returned, or other Proof made in a limited Time, of its having been landed or sold out of the Province : And they are further of Opinion, that the Oath of the Exporter, that such is actually exported, and not intended to be reloaded, and if he afterwards knows or suspects its being reloaded, he will discover it, may be as effectual and less burthensome.

It seems likewise, an extream Hardship, to oblige the Distillers to pay the Duty not only of all the Rum they may have by them, at the Commencement of the Act, but also of what shall be left unsold at the Expiration of it ; which must cause them either to put a Stop to their Business for some Time before, or else expose them to a certain Loss.

The Board are of Opinion, that the Farming the Impost, and giving such Powers to a Farmer over the Properties and natural Rights of the Subjects, as are given by this Act, especially where any Person (of how bad a Character soever) if he be the highest Bidder, may be the Farmer, is without Precedent in any Part of his Majesty's Dominions, and may prove very oppressive to the Subjects, where the Officers of the Government are employed to collect this Part of the Revenue. The Board have no Exception to the farming of it, or if it should be tho't necessary, to give the Powers of Collection to a Farmer, yet some further Provision should be made with Respect to the Qualifications of such Farmer, than merely his being the highest Bidder, as the Wisdom of the Government at Home has always thought necessary.

J. Willard, Secr.

Committee
for an Ans-
to the above
Message.

Ordered, That Mr. *Welles*, Col. *Choate*, and Capt. *Livermore*, be a Committee to draw up a proper Answer to the Message from the honourable Board of this Day.

Post Meridiem.

Ordered, That *Thomas Foster*, Esq; be of the Committee on the Petition of *Jeremiah Williams*, in the Room of Col. *Brattle*, who is absent.
Sent up for Concurrence.

Petition of
*Rich. Salton-
stall*, Esq;

A Petition of *Richard Saltonstall*, Esq; praying that the Referrees in an Action between the Petitioner, and *Richard Hazzen*, Esq; deceased, may be empowered to consider the same *de Novo*, for the Reasons mentioned.

Read and *Ordered*, That the Prayer of the Petition be so far granted, as that the Referrees mentioned in the Petition, be and hereby are empowered to consider a-new the said Action, and report thereon; provided the Petitioner give seasonable Notice to *John Moores* and *Sarah Hazzen*, Administrators on the Estate of said *Richard Hazzen*, deceased, of the Time and Place of said Referrees meeting; and that the Execution mentioned in the Petition be stayed in the mean Time. Sent up for Concurrence.

Petition of
Tho. Brown
& others
bro't down.

John Erving, Esq; brought down the Petition of *Thomas Brown*, and others: Pass'd in Council, viz. In Council November 22d 1754. Read again, and it appearing that the Proprietors of the Land within-mentioned, have been notified agreeable to Order, but no Answer given in; *Voted*, That the Prayer of the Petition be granted; and the Petitioners are allowed to bring in a Bill accordingly.
Sent down for Concurrence. Read and concur'd.

Bill en-
gross'd.

A Bill Intituled *An Act for the Preservation of the Growth of a certain Parcel of Wood and Timber in the Township of Ipswich & Wenham, in the County of Essex.*

Read a first second and third Time, and pass'd to be engross'd.
Sent up for Concurrence.

A Petition of *Richard Williamson*, a Soldier in the late Expedition Eastward, representing his distressed State, and praying that he may have his Wages without further delay. Petition of *Ric. Williamson.*

Read, and committed to Mr. *Witt*, Capt. *Livermore*, and Mr. *John Hunt*, to consider and report thereon.

A Petition of *Caleb Chafflen*, Administrator on the Estate of *Israel Tiltan*, late of *Hopkinton*, deceased, praying he may be impowered to make Sale of the whole of the Real Estate of the said *Israel*, for the Reasons mentioned. Petition of *Caleb Chafflen.*

Read and committed to Mr. *Haven*, Mr. *Witt*, and Mr. *Stevens*, to consider and report thereon.

The Committee to prepare a Message to send to the honourable Board, reported the following Message, viz. Message to the Board relating to the Excise Bill.

May it please your Honours,

THE House of Representatives apprehend themselves bound in Faithfulness to his Majesty's dutiful and loyal Subjects the People of this Province their Constituents, thus publickly to bear Testimony against the great Breach made by the Message of the honourable Board this Morning, on our undoubted Right of granting Money, and determining on the Way and Manner of raising or levying the same on the People, without any Proposals, Conference or any other Method, to hinder the Proceedings of the House in such an Affair, beside barely non-concurring their Votes or Orders in such Case.

We are very sensible of the great Importance and Necessity of a good Understanding and Harmony between the two Houses in the present Distress and difficult Circumstances of the Province. And had not we apprehended, that our Silence on so apparent an Encroachment, might hereafter be improved as a Precedent we had not tho't it so much a Duty to make this Declaration or Protestation against this Conduct of the honourable Board.

Ordered, That Mr. *Welles*, Col. *Choate*, Col. *Saltonstall*, Judge *Russell*, and Mr. *Quincy*, go up to the honourable Board with the foregoing Message.

Who returned they had delivered the same.

A Bill Intituled *An Act for the Supply of the Treasury with the Sum of six Thousand Pounds, and applying the same, &c.* Bill read.

Read a third Time, and pass'd to be engros'd.

Ordered, That Col. *Choate*, Col. *Partridge*, and Judge *Russell*, wait on his Excellency the Governour, and acquaint him, that the House desire he would Adjourn the Court over the next Week, if it be his Excellency's Pleasure. Message to the Governour.

A Bill Intituled *An Act in Addition to an Act Intituled An Act to prevent Default of Appearance of Representatives &c.* Bill read.

Read a second Time; and committed to Col. *Choate*, Col. *Partridge*, and Judge *Russell*, to make the proposed Amendments.

Message to the Board. On a Motion made and seconded, *Ordered*, That a Message go up to the honourable Board, and desire they would send down the Bill granting an Excise on Rum, Wine &c.

Samuel Watts, Esq; brought down the said Bill.

Committee to carry up a Bill. *Ordered*, That Mr. *Stevens*, Col. *Storer*, and Major *Reed*, be a Committee to carry up to the honourable Board the Bill Intituled *An Act for Supply of the Treasury with the Sum of six Thousand Pounds &c.*

Committee for a Bill. *Ordered*, That Col. *Choate* bring in a Bill granting an Excise and additional Impost on Wine, Rum &c.

Then the House adjourn'd till to Morrow Morning ten o'Clock.

Sabbath 23. Die Novembris, A. D. 1754.

Report on Petition of *Thomas Colby*. THE Committee appointed on the Petition of *Thomas Colby*, as entered the 11th Instant, reported.

Read and accepted, and *Ordered*, That the Prayer of the Petition be so far granted, as that the Petitioner be allowed and paid out of the publick Treasury the Sum of *three Pounds five Shillings and four Pence*, in full of his Wages mentioned in the Petition.

Sent up for Concurrence.

Supply Bill enacted. An engross'd Bill Intituled *An Act for the Supply of the Treasury with the Sum of six Thousand Pounds, and for applying the same &c.*

Read and *Resolved*, That the Bill pass to be enacted.

Plan of surveyed Land presented. *Oliver Partridge*, Esq; presented a Plan of Twenty one Thousand two Hundred and forty six Acres of Land, lying West of and adjoining to the Township of *Northampton*, which was taken by Order of the House of Representatives, of the 17th of *January* last; together with an Account of Mr. *Elisba Hawley*, the Surveyor employed in taking said Plan.

Order thereon. *Ordered*, That the Sum of *nine Pounds* be allowed and paid out of the publick Treasury to the said *Hawley*, in full of said Account.

Sent up for Concurrence.

Vote on Petition of *David Morse*. *Samuel Danforth*, Esq; brought down the Petition of *David Morse* and others, Inhabitants of *Natick*, with a Vote of Council thereon.

Which was read; and thereupon *Ordered*, That Col. *Clap*, Capt. *Livermore*, and Capt. *Williams*, be a Committee to consider and report what it may be proper for this House to do thereon.

Call of the Roll. *Ordered*, That the Clerk of the House call over the Roll, in order to ascertain what Members have not attended this Sitting, and have not been excused by the House: And it appearing, that *Thomas Steel*, *Duncan Campbell*, and *Edward Milliken*, Esqrs; had not attended, nor sent any Excuse for their Non-attendance:

Voted, That the House would refer the Consideration of this Affair until the next Sitting.

Ordered,

Ordered, That a Message go up to the honourable Board to inquire whether they have passed on the Bill granting an Excise on Tea, &c. and if not, desire they would send down the Bill. Message to the Board.

Joseph Pyncheon, Esq; brought down the said Bill.

The Committee appointed to farm the Excise on Tea, &c. for the County of *Worcester*, Reported, that they had not been able to farm the same, altho' they had been at considerable Charge in endeavouring to do it. Report on farming Excise for Worcester.

Ordered, That the Sum of *two Pounds two Shillings* be allowed and paid out of the publick Treasury to said Committee in full of their Account. Sent up for Concurrence.

John Hill, Esq; brought down the Report of the Committee appointed to farm the Excise on Tea, Coffee &c. in the County of *York*, For York. viz. That they had farmed the same to *Mr. Faxwell Curtice Cutt*, for *seven Pounds ten Shillings*, and taken his Bond for the same, and delivered it to the Province Treasurer agreeable to Law.

In Council *October 30th 1754.* Read, and sent down.

Read and *Ordered*, That the Report be accepted, and that the said Committee be allowed the Sum of *two Pounds three Shillings and eight Pence*, in full of their Account, to be paid out of the publick Treasury. Sent up for Concurrence.

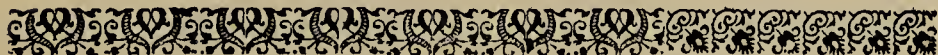
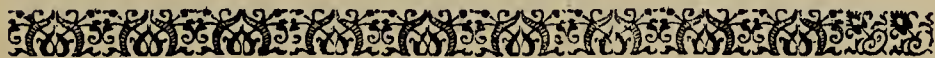
Isaac Royall, Esq; brought down the Report of the Committee appointed to farm the Excise upon Tea, Coffee, &c. in the County of *Hampshire*, viz. That they had farmed the same to *David Ingersole*, Esq; for the Sum of *six Pounds five Shillings*, & had taken his Bond to the Province Treasurer, and returned the same according to Law. For Hampshire.

In Council *November 23d 1754.* Read, and sent down.

Read and *Ordered*, That the Report be accepted, and that the said Committee be allowed the Sum of *fourteen Shillings & eight Pence* in full of their Account, and that the same be paid out of the publick Treasury. Sent up for Concurrence.

Ordered, That the Bill Intituled *An Act granting an Excise on Tea, Coffee, China Ware &c.* be committed to the Committee which were appointed to bring in said Bill; and that *Mr. Welles* and *Col. Otis*, be of the Committee. Bill committed.

Then the House adjourn'd 'till Monday next three o'Clock Afternoon.



VOTES

Of the House of Representatives.

Lunæ 25. Die Novembris, A. D. 1754.

Petition of Capt. *Phineas Stevens*, and others, Inhabitants of Number *Four*, in the Province of *New-Hampshire*, (now called *Charlestown*) praying the compassionate Consideration of this Court, being entirely without Protection, and much exposed to the Indian Enemy.

Petition of
Phineas Ste-
vens, &c.

Read and *Ordered*, That Col. *Saltonstall*, Col. *Otis*, and Col. *Partridge*, with such as the honourable Board shall join, be a Committee to take the said Petition under Consideration, and report what they judge proper for this Court to do thereon.

Sent up for Concurrence.

The Committee appointed to make the Amendments on the Bill Intituled *An Act for the better securing and rendring more effectual Grants and Donations to pious and charitable Uses &c.* Reported the Amendments; and after a Debate had thereon,

Report and
Debate on a
Bill.

Ordered, That the Bill be again recommitted to said Committee, and that Major *Hawley* and Capt. *Ruggles*, be added to the Committee, and the Committee are specially directed to examine the Statute of *Mort-main &c.*

Mr. Secretary brought down a Message from his Excellency the Governour to the House. Which he read and laid on the Table, and then withdrew.

Message
from the
Governour.

Read again, and *Ordered*, That the same be considered to Morrow Morning eleven o'Clock.

An Account of the Guardians of the *Mashpee* Indians. Signed *David Crocker*, per Order of said Guardians, was presented.

Guardians
of *Mashpee*
Indians Ac-
counts.

Read and *Ordered*, That Col. *Clap*, Col. *Storer*, and Mr. *Gibbs* of *Newton*, be a Committee to examine the same, and report thereon.

The Committee appointed on the Petition of *Jonathan Darby* and others, reported thereon.

Report on
Petition of
Jonathan
Darby.

Read and *Ordered*, That said Report be considered to Morrow Morning ten o'Clock.

Then the House adjourn'd 'till to Morrow Morning ten o'Clock.

Artis 26. Die Novembris, A. D. 1754.

Petition of
Jonath Darby
further con-
sidered, and
Order there-
on.

THE House, according to Order, took under Consideration, the Report of the Committee appointed on the Petition of *Jonathan Darby* and others : And after a large Debate thereon, The Question was put, *Whether the said Report be accepted?*

It pass'd in the Negative. And

On a Motion made and seconded, That a Township be opened upon Part of the Lands mentioned in the said Report :

Ordered, That Capt. *Livermore*, Capt. *Ruggles*, and Mr. *Welles*, be a Committee to consider the Conditions thereof, and Report to this House thereon.

Adjourn-
ment of
Barnstable
Court.

Joseph Pyncheon, Esq; brought down the following Vote of Council, viz. In Council *November 26th 1754.*

Whereas divers of the Justices of the Court of General Sessions of the Peace, and Inferiour Court of Common Pleas, which by Law are to be holden at Barnstable in the County of Barnstable on the first Tuesday of December next, are Members of this Court ; and the important Affairs of the Province now depending require their Attendance : Wherefore

Ordered, That the Courts afore-mentioned (that were to be held at the Time aforesaid) be Adjourned to the first Tuesday of *January* next, to be held at the Court-House in said Town of *Barnstable*, at ten of the Clock in the Forenoon of said Day : And all Pleas, Writs, Actions, Suits, Complaints, Processess, Precepts, Recognizances, and other Thing and Things whatsoever, returnable or having Day or Days in the said Courts, shall stand, abide and continue unto the said Adjournment, and be held, deemed and adjudged to be as good, effectual and available in Law to all Intents, Constructions and Purposes, as if such Courts had been held and kept on the Day by Law for holding the same, and no Adjournment thereof had been made.

Sent down for Concurrence.

Read and concur'd.

Message
from his
Excellency
relating to
Governour
Sharpe's Let-
ter.

Mr. Secretary brought down a Message from His Excellency to both Houses, together with a Letter from the Hon. HORATIO SHARPE, Esq; dated *November 8th 1754* ; which he informed the House he had communicated to the honourable Board : and laid the same on the Table, and then withdrew.

His Excellency's Message is as follows, viz.

Gentlemen of the Council and House of Representatives,

I Have received a Letter from the Hon. HORATIO SHARPE, Esq; Governour of the Province of Maryland, who by his Majesty's Commission hath the chief Command given him of the Forces raised and to be raised for repelling the Incroachments of the French upon the River Ohio, and Parts adjacent : In which Letter he acquaints me, That unless he is assisted by his Majesty's other Governments, he despairs of effecting the Service ; and therefore desires me (as he hath done the Governours of the other Colonies, with Regard to their respective Assemblies) to use my best Endeavours for obtaining a Supply of Men and Money from you, on this important Occasion.

I must therefore desire you would forthwith take this Matter under your Consideration ; and act suitably to your known Zeal for the common Cause, and defending his Majesty's Dominions upon this Continent against the French.

Council Chamber

W. SHIRLEY.

Nov. 26. 1754.

Read, and Ordered, That Mr. Welles, Judge Saltonstall, & Judge Russell, with such as the honourable Board shall join, be a Committee to take his Excellency's Message aforegoing, together with the Letter from the Hon. HORATIO SHARPE, Esq; accompanying the same, under Consideration, and report (as soon as may be) what they think proper for this Court to do thereon.

Sent up for Concurrence.

On a Motion made and seconded, Ordered, That the Commissary-General repair to the late Treasurer William Foye, Esq; and inspect the Muster-Rolls in his Custody, and return to this House an Account of the Persons Names borne thereon, who have not received their Pay.

His Excellency's Message of Yesterday, according to the Order of the Day, was taken under Consideration : And after a Debate thereon,

Ordered, That the same lie on the Table, for the further Consideration of the House.

The Committee to whom was referred the Accounts from the Guardians of the *Mashpee* Indians, reported thereon.

Read and accepted, and Ordered, That the said Guardians be accountable for the Sum of *five Pounds sixteen Shillings & two Pence* Ballance remaining in their Hands ; and that there be an Allowance of *forty Shillings* made to the said Guardians for their Services the last Year.

Sent up for Concurrence.

Mr. Secretary brought down an Extract of a Letter from Lieut. Gov. DELANCEY to his Excellency Governour SHIRLEY, dated *New-York*, 18th Nov. 1754, with fundry Papers accompanying the same : Which were read.

Ordered, That Col. Clap, Mr. Niles, and Mr. Cushing, be a Committee to wait on his Excellency the Governour, and desire the Court may have a short Recess, if his Excellency pleases.

Who returned they had delivered the Message.

Mr. Secretary brought down a Message from his Excellency the Governour to both Houses, together with an Extract of a Letter from Governour WENTWORTH, to his Excellency Governour SHIRLEY. Which he laid on the Table ; and then withdrew.

Message from his Excellency relating to No. Four.

His Excellency's Message is as follows, viz.

Gentlemen

[Council]

Gentlemen of the Coucil and House of Representatives,

[sensible]

I Perceive you have under your Consideration the Memorial of the Inhabitants of Number Four, praying for Protection from this Govern-ment : I am sensible they lie within the Province of New-Hampshire ; but it is of great Importance to this Province, and to his Majesty's Interest in general, to have this Post maintained ; and any Receding in the English at a Time when the French are making such Advances, may be of extream bad Consequence : I cannot help therefore recommending this Memorial to your favourable Consideration.

Council Chamber

W. SHIRLEY.

Nov. 26. 1754.

Order there-
on.

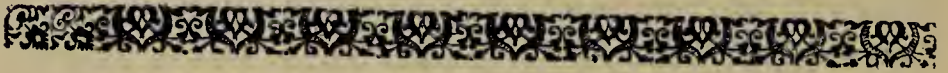
Read and Ordered, That the foregoing Message from his Excellency, together with the Extract of a Letter from Governour WENTWORTH, be committed to the Committee of both Houses appointed to take under Consideration his Excellency's other Message of this Day, and the Letter from the Hon. HORATIO SHARPE, Esq; which accompany'd it to consider of the same, and report what they judge proper for this Court to do thereon.

Sent up for Concurrence.

Governor's
Adjourn-
ment of the
Court.

Mr. Secretary came down with the following Message from his Excellency the Governour, *viz.*

Mr. Speaker, His Excellency directs that this Great and General Court be Adjourned 'till Tuesday the third Day of *December* next, at ten o'Clock in the Forenoon : And then Mr. Secretary declared the said Court to be Adjourned to that Time accordingly.



VOTES

Of the House of Representatives.



Martis 3. Die Decembris, A. D 1754.

Speaker communicated to the House, two Letters which he had received from Mr. Agent *Bollan*, dated *Pall-Mall, September 19th & 20th 1754.* which were read; and thereupon *Ordered*, That one of the said Letters, dated *Sept. 19th* be committed to the Committee appointed on the Union.

John Erving, Esq; brought down the Petition of *Richard Saltonstall*, Petition of *Esq;* Pass'd in Council, viz. In Council *November 22d 1754.* Read and non-concur'd; and *Ordered*, That the Petitioner serve *John Moore and Sarah Hazzen*, Administrators on the Estate of *Richard Hazzen*, deceased, with a Copy of this Petition, that they shew Cause (if any they have) on Wednesday the eleventh of *December* Instant, if the Court be then Sitting, if not, on the second Wednesday of the next Sitting of the Court, why the Prayer thereof should not be granted. Sent down for Concurrence.

Read and concur'd.

A Petition of *James Davenport* of *Boston*, praying that he may be licensed an Innholder in the House commonly known by the Name of the *Bunch of Grapes* in said Town, for the Reasons mentioned. A Petition of *James Davenport*.

Read and *Ordered*, That the Prayer of the Petition be so far granted, as that the Justices of the Court of General Sessions of the Peace for the County of *Suffolk* at their present Adjournment, or some other Time, be and hereby are impowered (if they see fit) to Licence the Petitioner to be an Innholder in the Town of *Boston*, in the House commonly known by the Name of the *Bunch of Grapes*, he first obtaining the Approbation of the Select Men of said Town, the Time of granting Licences being elapsed notwithstanding.

Sent up for Concurrence.

Petition of
Margt. Hogg.

A Petition of *Margaret Hogg* of *Boston*, praying that she may be licensed to be a Retailer of spirituous Liquors in said Town, for the Reasons mentioned.

Read and Ordered, That the Prayer of the Petition be so far granted, is that the Justices of the Court of General Sessions of the Peace for the County of *Suffolk*, be and hereby are impowered at their present Adjournment, or at some other Time, (it they see fit) to License the Petitioner to be a Retailer of spirituous Liquors in the Town of *Boston*, she first obtaining the Approbation of the Select Men of said Town, and producing a Discharge from the Farmer of Excise of his Demands for the Year past; the Time of granting Licences being elapsed notwithstanding.

Sent up for Concurrence.

Letter from
Lady *War-*
ren, brought
down.

Mr. Secretary brought down a Letter from Lady *Warren*, dated *Westbury*, August 27th 1754, together with a Letter from *Oliver DeLancey*, Esq; dated *New-York* 17th November 1754, accompanying the same.

Read and Ordered, That Mr. Speaker, Judge *Russell*, and Mr. *Welles*, together with such as the honourable Board shall join, be a Committee to take under Consideration the aforesaid Letter from Lady *Warren*; and report thereon.

Sent up for Concurrence.

Adjourn-
ment of
Charlestown
Court.

Whereas divers of the Justices of the Court of General Sessions of the Peace, and Inferiour Court of Common Pleas, which by Law are to be holden at *Charlestown* in and for the County of *Middlesex*, on the second Tuesday of December Instant, are Members of this Court; and the important Affairs of the Province now depending require their Attendance thereon: Wherefore

Ordered, That the Courts aforesaid, that were to be held at the Time aforesaid, be Adjourned to the first Tuesday of *January* next, to be held at the Court-House in said Town of *Charlestown*, at ten of the Clock in the Forenoon of said Day: And all Pleas, Writs, Actions, Suits, Plaints, Processes, Precepts, Recognizances, and other Thing and Things whatsoever, returnable or having Day or Days in the said Courts, shall stand, abide and continue unto the said Adjournment, and be held, deemed and adjudged to be as good, effectual and available in Law to all Intents, Constructions and Purposes, as if such Courts had been held and kept on the Day by Law for holding the same, and no Adjournment thereof had been made.

Sent up for Concurrence.

Adjourn-
ment of
Taunton
Court.

Whereas divers of the Justices of the Court of General Sessions of the Peace, and Inferiour Court of Common Pleas, which by Law are to be holden at *Taunton*, in and for the County of *Bristol*, on the second Tuesday of December Instant, are Members of this Court; and the important Affairs of the Province now depending require their Attendance thereon: Wherefore,

Ordered, That the Courts aforesaid, that were to be holden at the Time aforesaid, be Adjourned to the second Tuesday of *March* next,

next, to be held at the Court-House in said Town of *Taunton*, at ten o'Clock in the Forenoon of said Day : And all Pleas, Writs, Actions, Suits, Complaints, Processes, Precepts, Recognizances. and other Thing or Things whatsoever, Returnable or having Day or Days in the said Courts, shall stand, abide and continue unto the said Adjournment, to be held, deemed and adjudged to be as good, effectual and available in Law to all Intents, Constructions and Purposes, as if such Courts had been held and kept on the Day by Law for holding the same, and no Adjournment thereof had been made.

Sent up for Concurrence.

James Minot, Esq; brought down a Letter from Mr. *Luther*, dated *Frankfort*, June 23d 1754. Which was read ; and thereupon Letter from Mr. Luther.

Ordered, That Mr. *Welles*, Judge *Russell* and Col. *Otis*, with such as the honourable Board shall join, be a Committee to consider the said Letter, and report what they think proper for this Court to do thereon.

Sent up for Concurrence.

A Petition of *Mary Clapham*, Wife of *William Clapham*, praying that she may be divorced from the Bands of Matrimony with the said *William* ; and that fundry Articles specified in said Petition, may be assigned to her in Lieu of Alimony, for the Subsistence of her self and Children, for the Reasons mentioned. Petition of Mary Clapham.

Read and Ordered, That Col. *Otis*, Col. *Brattle*, and Mr. *Welles*, together with such as the honourable Board shall join, be a Committee to consider this Petition, and report thereon.

Sent up for Concurrence.

A Petition of *John Palmer* of *Scituate*, praying that he may be licensed an Inholder in said Town, for the Reasons mentioned. Petition of John Palmer.

Read and Ordered, That the Prayer of the Petition be so far granted, as that the Justices of the Court of General Sessions of the Peace for the County of *Plymouth*, be and hereby are impowered at their next Term, to Licence the Petitioner (if they think fit) to keep an House of publick Entertainment in the Town of *Scituate*, he first obtaining the Approbation of the Select Men of said Town, the Time for granting Licences being elapsed notwithstanding.

Sent up for Concurrence.

Ordered, That Capt. *Joseph Williams* be added to the Committee on the Bill for the better securing and rendring more effectual Grants and Donations to pious and charitable Uses, and for the better Support and Maintenance of Ministers of the Gospel, and defreying other Charges relating to the public Worship, in the Room of Major *Hawley*, who is absent. Capt. Williams added to a Committee.

Then the House adjourn'd 'till to Morrow Morning ten o'Clock.

Mercurii 4. Die Decembris, A. D. 1754.

Petition of
Mr. John
Haywood.

A Petition of Mr. *John Haywood*, Agent for the Town of *Lunenburg*, setting forth the great Charge the Inhabitants have already and must be further at in making and repairing their High-Ways, &c. thro' said Town, and praying that a Tax of *one half Penny* an Acre per Annum for the Term of five Years, may be laid on the Lands of the Non-resident Proprietors, for the Reasons mentioned.

Read and Ordered, That the Petitioner notify the Non-resident Proprietors of the Township of *Lunenburg* with the Petition, by inserting the Substance thereof in one of the public Prints, for three Weeks successively, that they shew Cause, if any they have, on the second Friday of the next Sitting of this Court, why the Prayer thereof should not be granted, Sent up for Concurrence.

Vote for Ad-
journing of
Charlestown
Court.

Benjamin Lincoln, Esq; brought down the Order that pass'd the House Yesterday for the Adjournment of the Court of General Sessions of the Peace, and the Inferiour Court of Common Pleas for the County of *Middlesex*; with a Vote of Council thereon; viz. In Council *December 3d 1754*. Read and concur'd; and the Sheriff of the said County of *Middlesex* is hereby required to take Care seasonably to publish this Order in Manner as usual.

Sent down for Concurrence. Read and concur'd.

Petition of
John Winslow, Esq;

A Petition of *John Winslow*, Esq; setting forth, that the Blankets, Knapfacks & Bandileers, delivered the Soldiers under his Command in the late Service at the Eastward, are in a great Measure worn out in the Service of the Province, and rendered almost usefess, and praying that the said Articles may be given them gratis.

Read and Ordered, That the Prayer of the Petition be granted, and that the Blankets, Knapfacks and Bandileers, delivered the Officers and Soldiers employed in the late Service at the Eastward, under the Command of Major-General *Winslow*, be given to the said Officers and Soldiers gratis; and the Commissary-General is hereby directed not to charge the said Articles in their particular Accounts.

Sent up for Concurrence.

Excise Bill
reported.

John Choate, Esq; according to Order, reported a Bill Intituled *An Act for granting to his Majesty an Excise on Rum, Brandy and other Spirits distilled within this Province; and also an additional Impost on Wine, Rum and other distilled Spirits brought into this Government; together with an Excise on Wines and Spirits distilled and sold by Retail within this Province, and upon Limes Lemmons and Oranges.*

Read a first Time, and Ordered, That the Bill have a second Reading at three o'Clock Afternoon.

Report on
the Union.

Isaac Royall, Esq; brought down the Report of the Committee appointed on the Union. Signed *Samuel Watts*, per Order. With a Vote of Council thereon, viz. In Council *Decemb. 4th. 1754*. Read, and so far accepted, as that the Committee be directed forthwith to sit again, and consider and report such Plan of an Union as to

to them appears the most Salutary ; and *Benjamin Lynde* and *Thomas Hutchinson*, Esqrs; are added to the Committee.

Sent down for Concurrence.

Read, and *Ordered*, That this Report be taken under Consideration at ten o'Clock to Morrow Morning.

Post Meridiem.

A Bill Intituled *An Act for granting to his Majesty an Excise on Rum, Brandy and other Spirits distilled within this Province ; and also an additional Impost on Wine, &c.* Debate on Excise Bill.

Read a second Time, and after a Debate had thereon, the Question was put, *Whether the House are of the Mind that there be an Excise laid upon the Distil-Head ?*

Resolved in the Affirmative.

And on a Motion made and seconded ; A Petition of *Joshua Winslow*, Esq; and sundry others concerned in the Distilling Business, praying that they may be heard on that Part of the Excise Bill relating to the proposed Excise on the Distil-Head ; and that they may be favoured with a Copy of the same ; was read : And thereupon

Petition of the Distillers and Order thereon.

Ordered, That *Col. Otis*, *Col. Choate*, *Judge Russell*, *Col. Richards*, and *Capt. Joseph Williams*, be a Committee to hear what may be objected against that Part of the said Bill by the Petitioners, and Report thereon to this House.

Thomas Hutchinson, Esq; came down from the honourable Board with the following Message, viz.

Mr. Speaker, I am directed by the Board to inquire, whether this honourable House have passed upon the Report of the Committee upon the Union ?—To which Mr. Speaker answered, That the House had not passed upon it.

Message from the Board.

Whereupon he replied, That he was then directed by the Board to desire, that the honourable House would take the same under Consideration, and pass upon it, as soon as may be ; because they apprehend it a Matter of great Importance to the Province : That there was a Vessel near ready to sail for *England* ; and unless something be done thereon, so as to be sent over by this Opportunity, they are apprehensive the Province may be in Danger of greatly suffering in its most important Interests.

Ordered, That *Col. Brattle* go up to the honourable Board, and acquaint them there is nothing like to be sent up to the Board this Afternoon.

Message to the Board.

Then the House adjourn'd 'till to Morrow Morning ten o'Clock.

Jovis 5. Die Decembris, A. D. 1754.

ON a Motion made and seconded, *Voted*, That the Clerk of the House be allowed to deliver to the Distillers a Copy of that Part of the Excise Bill now depending, relating to the Excise on the Distil-Head, agreeable to their Petition, as entered Yesterday.

Clerk directed.

Also *Voted*, That the Order of Yesterday relating to the Distillers being heard by a Committee, be re-considered, and that they be heard on the Floor at five o'Clock this Afternoon, on the said Excise Bill.

Bill engross'd.

A Bill Intituled *An Act relating to Barberry Bushes*.

Read a third Time, and pass'd to be engross'd.

Sent up for Concurrence.

Debate on Union.

The House, according to the Order of the Day, took under Consideration the Report of the Committee on the Union ; and Vote of Council thereon ; And after a large Debate, referred the same to the Afternoon, for further Consideration.

Post Meridiem.

Further Debate on the Union.

The House re-assumed the Consideration of the Report of the Committee on the Union, and Vote of Council thereon ; and after some Debate, referred the further Consideration thereof till to Morrow Morning.

Distillers heard on the Excise Bill.

According to the Order of the Day, the Distillers were admitted into the House ; and after fully hearing their Objections against the Excise Bill, they withdrew : And thereupon

Ordered, That the Excise Bill be taken under Consideration to Morrow at three o'Clock Afternoon.

Bill brought down, read and referred.

James Minot, Esq; brought down a Bill Intituled *An Act for charging Counties in certain Cases with the Costs of prosecuting Criminal Offenders*. Pass'd in Council, viz. In Council, December 4th 1754. Read a first Time. December 5th. Read a second Time, and pass'd to be engross'd.

Sent down for Concurrence.

Read and *Ordered*, That the Bill be referred to the next Sitting of the Court.

Report on Petition of Caleb Chafflen.

The Committee appointed on the Petition of *Caleb Chafflen*, reported according to Order.

Read and accepted, and *Ordered*, That the Prayer of the Petition be so far granted, as that the Petitioner in his said Capacity of Administrator, be licensed and authorized to make Sale of the whole of the Real Estate mentioned in the Petition for the most it will fetch ; and to execute a good and sufficient Deed or Deeds thereof in the Law, he first observing the Rules of the Law for the Sale of Intestates Estates, and giving proper Caution to the Judge of Probate for the County of *Middlesex*, to pay the Debts mentioned in the Petition ; and that two Thirds of what shall remain, be put into the Hands of the Guardians of the Child mentioned in the Petition, for it's Use and Benefit ; and that the Principal of the remaining Third be secured for the Use of the said Child, or its lawful Heirs, after the Decease of the Widow mentioned in the Petition ; and she to receive the Interest of the one Third above-mentioned, for her Right of Dower during Life.

Sent up for Concurrence.

Then the House adjourn'd 'till to Morrow Morning ten o'Clock.

Veneris

Veneris 6. Die Decembris, A. D. 1754.

THE House, according to the Order of the Day, again took under Consideration the Report of the Committee on the Union &c. And after a very large Debate had thereon, referred it to the Afternoon for further Consideration. Debate on the Union.

Post Meridiem.

John Hill, Esq; brought down the Petition of *Caleb Chaffin* : Petition of Caleb Chaffin bro't down.
Pass'd in Council, viz. In Council December 6th 1754. Read, and concur'd with the Amendment. Sent down for Concurrence.
Read and concur'd.

The Petition of *Ichabod Goodwin* and *Hannah Ayer*, Administrators on the Estate of *James Scammon*, late of *Biddeford*, deceased Intestate, setting forth that the said Estate has been represented Insolvent to the Judge of Probate for the County of *York*, and praying the Petitioners in their said Capacity may be authorized and empowered to sell the whole of the Real Estate of the said Intestate, for the Reasons mentioned. Petition of Ichabod Goodwin and Hannah Ayer.

Read and Ordered, That the Petition be committed to Capt. *Williams*, Col. *Prebble*, and Col. *Hale*, to consider the same, and report what they think proper for this Court to do thereon.

Ordered, That Deacon *Spaulding* and Capt. *Dodge*, be Monitors Monitors. *pro Tempore*, in the Room of two of the Monitors, who are absent.

On a Motion made and seconded, Ordered, That the Bill Intituled *An Act for upholding and regulating of Mills*, be committed to the Members for *Sudbury, Concord, Medway, and Billerica*, to consider of the same, and report what Amendments they think proper to be made therein. Bill committed.

The House again entred into the Debate on the Report of the Committee on the Union, &c. And after fully considering the same, Voted, a Concurrence with the honourable Board; and Further Debate on the Union.

Ordered, That Col. *Lawrence*, Judge *Russell*, and Mr. *Sparhawk*, be added to the Committee Sent up for Concurrence.

Then the House adjourn'd till to Morrow Morning ten o'Clock.

Sabbati 7. Die Decembris, A. D. 1754.

THE Petition of *John Farrar* of *Concord*, setting forth, that in 1719, he purchased of the Province a Right in the Township of *Townshend*; that after making several Improvements thereon, he sold and warranted the same to *Benjamin Brooks*; that the Proprietors of *Dunstable* did in *November* last bring a Writ of Ejectment Petition of John Farrar.

[that]

ment against the said *Benjamin* ; and hatt the Premisses being under the same Circumstances with some Lands already recovered by the said Proprietors, the Petitioner is, as he apprehends, in Danger of being ruined in his Estate ; therefore praying the Interposition of this Court for his Relief.

Read and *Ordered*, That Capt. *Ruggles*, Judge *Russell*, and Col. *Miller*, be a Committee to take the same under Consideration, and report what they think proper for this Court to do thereon.

Order for
Members
Attendance.

Ordered, That the several Members now present do not withdraw without particular Licence ; and that the Messenger of the House, notify such Members as are already gone out, to attend their Duty.

Debate and
Order on
Excise Bill.

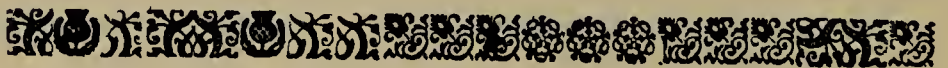
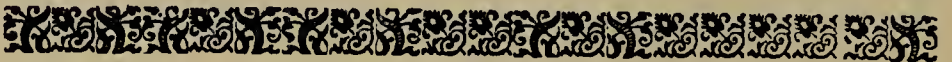
The Bill Intituled *An Act for granting to his Majesty an Excise on Rum, Brandy and other Spirits distilled within this Province &c.* was taken under Consideration ; and after some Debate thereon, referred 'till Tuesday next three o'Clock Afternoon. And on a Motion made and seconded,

Ordered, That Col. *Brattle*, Col. *Choate*, Capt. *Livermore*, Mr. *James Russell*, and Mr. *James Bowdoin*, be a Committee in the mean Time, to prepare and bring in a new Draught of an Excise Bill.

Members
enjoin'd At-
tendance.

Ordered, That the Members of the House be enjoined to give their Attendance at the Time to which they shall be adjourned, under Penalty of the Displeasure of the House.

Then the House adjourn'd 'till Tuesday next ten o'Clock Forenoon.



VOTES

Of the House of Representatives.

ARTIS 10. Die Decembris, A. D. 1754.

[Die]

***** Petition of *Nathan Peabody* and *Spencer Bennet* of *Newbury*, praying that a Judgment of the Inferiour Court for the County of *Essex*, obtained against them by *Israel Averell* at *Newbury* in *September* last, may be set aside ; and that they may have a Re-hearing of their Cause before the Referrers appointed to hear the same, they being able, as they apprehend, to convince the said Referrees of a Mistake made by them in settling the Accounts between the said Parties, or that the said Inferiour Court be impowered otherwise to determine the same, for the Reasons mentioned.

Read and Ordered, That the Petitioners serve the adverse Party (*Israel Averell*) with a Copy of the Petition, that he shew Cause, if any he have, on the second Friday of the next Sitting of this Court, why the Prayer thereof should not be granted ; and that Execution be stayed in the mean time. Sent up for Concurrence.

On a Motion made & seconded, Ordered, That the Messenger of the House be directed to keep a Fire in the Green-Chamber (so called) every Day during the Sitting of the Court, in the Winter Season.

Whereas divers of the Justices of the Court of General Sessions of the Peace & Inferiour Court of Common Pleas, which by Law are to be holden at Plymouth in the County of Plymouth, on the third Tuesday of December Curreant, are Members of this Court ; and the important Affairs of the Province now depending, require their Attendance thereon : Wherefore

Ordered, That the Courts afore-mentioned (that were to be held at the Time aforesaid) be and hereby are Adjourned to the second Tuesday of *January* next, to be held at the Court-House in said Town of *Plymouth*, at ten of the Clock in the Forenoon of said Day ; and all Pleas, Writs, Actions, Suits, Plaints, Processes, Precepts, Recognizances, and other Thing and Things whatsoever, returnable or having Day or Days in the said Courts, shall stand, abide and continue unto the said Adjournment, and be held, deemed

and adjudged to be as good, effectual and available in Law, to all Intents Constructions and Purposes, as if such Courts had been held and kept on the Day by Law for holding the same, and no Adjournment thereof had been made. Sent up for Concurrence.

Petition of
Barnabas Freeman, &c.
bro't down
and Order
thereon.

James Otis, Esq; appointed to draw a Vote on the Petition of *Barnabas Freeman* and *Jabez Snow*, Agents of the Town of *Harwich*, as entred the 29th of *October* last, reported according to Order.

Read, accepted and Ordered, That the Prayer of the Petition be so far granted, as that the said Town of *Harwich* be hereby enabled and impowered (at a Meeting to be called for that Purpose) to chuse one or more Constables or Collectors, to serve in said Town for the current Year, the Time by Law for chusing such Officers being elapsed notwithstanding; and such Person or Persons so chosen shall be obliged to do the Duties, & incur the Penalties, to all Intents and Purposes, as fully as if they had been chosen in *March* last. Sent up for Concurrence.

Letter from
Gov. Fitch.

Mr. Secretary brought down a Letter from Governour *FITCH* of *Connecticut*, to his Excellency Governour *SHIRLEY*; dated *Norwalk*, *December* 3d 1754. Which was read.

Agent *Bollans*
Letter.

Mr. Speaker communicated to the House a Letter he had received from Mr. Agent *Bollan*, dated *Henrietta-Street*, *October* 24th 1754. Which was read.

Bill read.

A Bill Intituled *An Act to appoint Trustees to compleat the Affairs of the two Fifty Thousand Pounds Loan, and of the One Hundred Thousand Pounds Loan (so called) that are remaining behind in the Counties of Plymouth, Bristol and York within this Province.*

Read a first and second Time, and committed to Col. *Clap*, to make Amendments thereon. And

Ordered, That the Bill have a third Reading at three o'Clock Afternoon.

Col. *Storer*
added to a
Committee

Ordered, That Col. *Storer* be added to the Committee on the Petition of *Ichabod Goodwin & Hannah Ayer*, as entred the 29th of *October* last, in the Room of Col. *Hale*, who is absent.

Post Meridiem.

Mess. from
his Excellency
bro't down.

Mr. Secretary brought down a Message from his Excellency the Governour to the House, which he read, and laid on the Table; and then withdrew.

His Excellency's Message is as follows, viz.

Gentlemen of the House of Representatives,
UPON carefully looking into the Act passed this Session for supplying the Treasury with Six Thousand Pounds; I find that by the Words of this Act, the Benefit of this Supply seems to be confined to the Officers and Soldiers employed in the late Expedition only; whereas according to the Nature of the Thing, I suppose
your

your Intention was to provide for the Hire of the Transports, Seamen's and Workmen's Wages, all equally employed with the Soldiers in the same Service : And as I am informed by the Commissary-General, the Provision made is sufficient for all these Ends : I must therefore recommend it to you, either by Explanation of the said Act, or by Way of Transfer (which has been frequently practised in Cases of this Nature) to extend the Benefit of this Supply to the Purposes above-mentioned.

Council Chamber

W. SHIRLEY.

Dec. 10. 1754.

His Excellency's foregoing Message was read again ; and thereupon *Ordered*, That the same be taken under Consideration on Thursday next, at eleven o'Clock in the Forenoon. Also Order on the foregoing Message.

Ordered, That Mr. *Tasler*, Mr. *Sparhawke*, and Mr. *James Bowdoin*, be a Committee to repair to the Commissary-General, and Treasurer's, and inspect their Accounts, in order to know whether the Money referred to, be sufficient for the several Purposes mentioned in his Excellency's Message ; and report thereon to the House as soon as may be.

A Bill Intitl'd *An Act for granting to his Majesty an Excise on Wines and Spirits distilled, and upon Limes Lemmons and Oranges.* Excise Bill read.

Read a first Time ; and *Ordered*, That the Bill be taken into a new Draft, and that it have a second Reading to Morrow at three o'Clock Afternoon.

A Bill Intitl'd *An Act to appoint Trustees to compleat the Affairs of the two Fifty Thousand Pounds Loans, and of the One Hundred Thousand Pounds Loan, (so called) that are remaining behind in the Counties of Plymouth, Bristol and York within this Province.* Loan Bill engross'd.

Read a third Time and pass'd to be engross'd.

Sent up for Concurrence.

On a Motion made and seconded, *Ordered*, That Col. *Lawrence* go up to the honourable Board, and acquaint them, that the House propose to come to the Choice of Guardians to the *Punkapoug* Indians, by joint Ballot, to Morrow at eleven o'Clock in the Forenoon. Message to the Board.

Who returned he had delivered the Message.

The Committee appointed to farm the Excise on Tea, Coffee and China Ware, for the County of *Essex*, reported that they had sold the same to *John Tasler*, Esq; for *thirty five Pounds six Shillings and eight Pence* ; and had taken Bond of Mr. *Peter Frye*, in whose Favour he had released the same, and had lodged said Bond with the Province Treasurer, as the Law directs. Report of Committee for farming Essex Excise on Coffee &c.

Read, and accepted, and thereupon *Ordered*, That the said Committee be allowed the Sum of *thirty three Shillings and eight Pence*, in full of their Account ; and that the same be paid them out of the publick Treasury. Sent up for Concurrence.

Then the House adjourn'd 'till to Morrow Morning ten o'Clock.

Mercurii 11. Die Decembris, A. D. 1754.

Secretary directed to attend the House ; and Interrogated

O *Ordered*, That the Secretary be directed to attend the House Mr. Secretary attended accordingly.

When Mr. Speaker enquired of him ; Whether the Resolve that had passed the two Houses relating to Major *Shepard*, had been laid before his Excellency : And whether he had given his Consent to it

To which Mr. Secretary answered ; That he had laid the Resolve mentioned, before his Excellency for his Consent ; but that he believed his Excellency had not yet consented to it ; at least that he had not two or three Days ago.

Petition of *Eben. Pool*.

A Petition of *Ebenezer Pool* of *Glocester*, setting forth that he was defaulted in an Action brought against him by *Peter Curtis*, at the Superiour Court for the County of *Suffolk* in *August* last, owing to his Attorney's being at that Time, (tho' then unknown to the Petitioner) out of the Province, to whom he had committed the entire Management of his Case, with all the necessary Papers ; and praying that he may be allowed a Re-hearing of the said Action.

Read and *Ordered*, That the Petitioner serve the adverse Party *Peter Curtis*, with a Copy of the Petition, that he shew Cause, if any he have, on Thursday the 26th Currant, if the Court be then Sitting, if not, on the first Thursday of the next Sitting of the Court, why the Prayer thereof should not be granted ; and that Execution be stay'd in the mean Time, provided he give sufficient Caution to the Sheriff of the County of *Suffolk*, to pay such Sum or Sums of Money as may finally be recovered against him.

Sent up for Concurrence.

Message from the Board.

John Chandler, Esq; came down with a Message from the honourable Board, acquainting the House, that the Board agree to the Proposal of chusing Guardians for the *Punkapoug* Indians by joint Ballot, at eleven o'Clock this Forenoon ; and proposing that the Number of Guardians be three, as has been usual.

To which Proposal the House agreed,

Message from the Board.

John Otis, Esq; came down from the honourable Board with a Message, acquainting the House, that Mr. *Sumner*, who had been appointed one of the Guardians of the Indians in the County of *Dukes-County*, had resigned that Trust ; and proposing, that there be another chosen in his Room, by joint Ballot, at eleven o'Clock this Forenoon.

Message to the Board.

Ordered, That Col *Lawrence* go up to the honourable Board, and acquaint them, that the House propose to refer coming to the Choice of Guardians to the *Punkapoug* Indians 'till to Morrow Morning at eleven o'Clock in the Forenoon : And that they decline coming to the Choice of a Guardian to the Indians in *Dukes-County*, in the Room of Mr. *Sumner*, who has resigned that Trust, until the said Gurdians have accounted with this Court.

Who returned that he had delivered the Message.

The

The Committee appointed to inspect the Accounts of the Commissary-General and Treasurer, relating to the Surplusage of Money that may be in the Treasurer's Hands after paying off the Soldiers employed in the late Expedition up *Kennebeck-River*, reported, That they found, there would be remaining in the Treasurer's Hands (when he should be possessed of the whole of the *Six Thousand Pounds* he was directed to borrow) a Sufficiency to answer the Ends proposed in his Excellency's Message, after the said Soldiers should be paid off.

Report of
Committee
to inspect
Commissary
and Treasur-
er's Ac-
counts.

Post Meridiem.

John Chandler, Esq; brought down a Petition of *Ebenezer Bacon* of *Dudley*, setting forth, that he was employ'd a Soldier in 1746, at Number *Four*, where he was wounded in a Skirmish with the Indians; and that he is now sued for Charges of his Nursing and Boarding, occasioned by his being so wounded; and praying that he may have such a Grant as may be sufficient to pay said Account of Charges; and that he may be allowed a yearly Pension, or be otherwise relieved under his present difficult Circumstances, for the Reasons mentioned. In Council *December 10th 1754.* Read and sent down.

Petition of
Eben. Bacon
bro't down.

Read and Ordered, That *Capt. Richardson*, Major *Chandler*, and Mr. *Greenwood*, be a Committee to consider the aforesaid Petition, and report what they think proper for this Court to do thereon.

A Bill Intituled *An Act for granting to his Majesty an Excise upon Wines, and Spirits distilled, and upon Limes, Lemmons and Oranges.*

Excise Bill
read.

Read a second Time; and after a large Debate had thereon, Ordered, That the Bill be recommitted for the proposed Amendments.

Then the House adjourn'd till to Morrow Morning ten o'Clock.

Jovis 12. Die Decembris, A. D. 1754.

THE Committee appointed on the Petition of *David Morfe* and others, Inhabitants of *Natick*; and the Vote of Council accompanying the same; reported according to Order: And the Vote of Council being read again, and nonconcur'd; Thereupon

Report on
Petition of
David Morfe.

Ordered, That *Col. Clap*, *Capt. Livermore*, and *Capt. Williams*, with such as the honourable Board shall join, be a Committee to take this Petition under Consideration, and report what they think proper for this Court to do thereon. Sent up for Concurrence.

Samuel Watts, Esq; came down from the honourable Board with the following Message, viz.

Message
from the
Board.

Mr. Speaker, I am directed by the Board to acquaint this honourable House, that they are ready to proceed to the Choice of Guardians to the *Punkapoug* Indians, agreeable to the Vote of Yesterday, And then withdrew.

R r

And

Message to
the Board.

And a Motion being made and seconded thereon, *Ordered*, That Col. *Brattle*, go up to the honourable Board, and inform them, that Affairs of great Importance being now under Consideration before the House, they think it very inconvenient to come to a Choice of Guardians to the *Punkapoug* Indians at the Time assigned ; and proposing that the said Choice be referred 'till to Morrow three o' Clock Afternoon.

Message
from the
Board.

Who returned he had delivered the Message.

John Chandler, Esq; came down from the honourable Board with a Message, acquainting the House, that they agreed to the proposed Reference of the Choice of Guardians to the *Punkapoug* Indians.

A Bill Intituled *An Act for granting to his Majesty an Excise upon Wines and Spirits distilled, and upon Limes, Lemmons and Oranges.*

Read a third Time, and pass'd to be engross'd.

Sent up for Concurrence by Col. *Brattle*, Col. *Otis*, Capt. *Ruggles*, Col. *Hale*, Col. *Choate*, Judge *Russell*, and Col. *Lawrence*.

Post Meridiem.

Report on
the Union.

Isaac Royall, Esq; brought down a Report of the Committee appointed on the Union. Signed *Benjamin Lynde*, per Order.

In Council *December* 11th 1754. Read and sent down.

Read and *Ordered*, That the Report be taken under Consideration at eleven o'Clock to Morrow Morning.

Message
from the
Governour
bro't down.

Mr. Secretary brought down a Message to the House from his Excellency the Governour. Which he read, and laid on the Table ; and then withdrew.

Read again, and *Ordered*, That his Excellency's said Message be taken under Consideration at ten o'Clock to Morrow Morning.

Report on
Petition of
Ichabod Goodwin &c.

The Committee appointed on the Petition of *Ichabod Goodwin*, and *Hannah Ayre*, reported according to Order.

Read and accepted, and *Ordered*, That the Prayer of the Petition be so far granted, as that the Petitioners be and hereby are empowered in their said Capacity of Administrators, to make Sale of the whole of the Estate mentioned, saving only the Widow's Right of Dower or Power of Thirds, as already set out ; and to make and execute in due Form of Law, a good Deed or Deeds for the Conveyance thereof, to such Person or Persons as shall give most for the same ; provided, the Petitioners observe the Directions of the Law respecting Executors and Administrators Sale of Lands, and give sufficient Caution to the Judge of Probate for the County of *York*, to account for the Produce of the Premises, and that the same shall be disposed of pursuant to Law. Sent up for Concurrence.

Then the House adjourn'd 'till to Morrow Morning ten o'Clock.

Ueneris 13. Die Decembris, A. D. 1754.

HIS Excellency's Message of Yesterday, was taken under Consideration, according to the Order of the Day : Order on Governor's Message.
 And after some Debate a Motion being made and seconded, *Ordered*, That the same lie on the Table for the present.

According to the Order of the Day, the House took into Consideration the Report of the Committee appointed on the Union ; Debate on the Union.
 and the proposed Plan accompanying the same : Which were read again : And after some Debate, referred to the Afternoon for further Consideration.

Mr. Secretary came down with a Message from his Excellency the Governour to both Houses, which he read, and laid on the Table.

Mr. Secretary also brought down a Letter from Col. *Israel Williams*, dated *Hatfield December 9th 1754.*

His Excellency's Message is as follows, viz.

Gentlemen of the Council and House of Representatives, Governor's Message to both Houses.
I Have just now received a Letter from Col. *Israel Williams*, giving me an Account of the ill State of our Affairs on the Western Frontiers, consequent upon the Defection of the Stockbridge Indians, and his Opinion of the great Necessity of reclaiming them to their Duty and Obedience to this Government, with a 'Proposal of such Methods as he apprehends, most likely to produce this happy Event.

In the general, I can't but approve of Col. Williams's Sentiments on this Subject : However, it is an Affair of great Moment ; and I must earnestly recommend to you the immediate Consideration of this Matter ; so that some effectual Remedy (if possible,) may be applied for removing this great Evil, as well as preventing the many Mischiefs that seem to be the unavoidable Consequences of it.

Dec. 13. 1754.

W. SHIRLEY.

Read again, together with the Letter accompanying the same ; Read, and Order thereon.
 And *Ordered*, That Mr. Speaker, Judge *Russell*, Col. *Brattle*, Mr. *Thomas Foster*, and Capt. *Ruggles*, with such as the honourable Board shall join, be a Committee to take the same under Consideration, and report what they think proper for this Court to do thereon.

Sent up for Concurrence.

Post Meridiem.

The House re-assumed the Consideration of the Report of the Committee on the Union ; and the Plan of Union accompanying the same : And after a very large Debate had thereon : Further Debate on the Union.

Ordered, That the further Consideration thereof be referred 'till to Morrow Morning nine o'Clock : And

Ordered, That the several Members be enjoined to give their Attendance at that Time accordingly, under Penalty of the Displeasure of the House.

Then the House adjourn'd 'till to Morrow Morning nine o'Clock.

Sabbati

Sabbati 14. Die Decembris, A. D. 1754.

Debates and
Questions on
the Union.

THE House again took under Consideration the Report of the Committee on the Union ; and the Plan of Union accompanying of it : And after a large Debate thereon, the Question was put, *Whether the House accept of the General Plan of Union, as Reported by the Commissioners convened at Albany in June last ?*

It pass'd in the Negative.

Sent up for Concurrence.

The Question was then put, *Whether the House accept of the Partial Plan of Union reported by the last Committee of both Houses, appointed on the Union ?* It pass'd in the Negative.

Sent up for Concurrence.

Then the Question was put, *Whether in taking the Sense of the House, with Regard to the proposed Union of the Colonies being general or partial, it shall be determined by Yeas and Nays ?*

Resolved in the Affirmative.

On a Motion made and seconded, *Voted*, That any Member of the House may have the Liberty of entering in the Journal of the House, his Reasons for voting for, or against a general Union of the several Colonies.

The Question was then put, *Whether it be the Mind of the House, that there be a General Union of his Majesty's Colonies on this Continent, except those of Nova-Scotia and Georgia ?*

Resolved in the Affirmative.

Yeas.

Yeas and
Nays on the
Union.

The Hon. Samuel Welles, Esq;
Mr. James Bowdoin,
Capt. Joseph Williams,
Samuel Miller, Esq;
Mr. Josiah Quincy,
Mr. William Bowdoin,
Henry Gibbs, Esq;
Capt. Benjamin Newhall,
John Tasker, Esq;
Joseph Frye, Esq;
Robert Hale, Esq;
Mr. William Stevens,
Mr. Jonathan Foster,
Mr. James Russell,
Mr. John Hunt,
Mr. Edward Walker,
Henry Gibbs, Esq;
Capt. John Noyes,
Mr. Elisha Jones,
Mr. Stephen Hall, Jun.
Nathanael Russell, Esq;
Hon. Chambers Russell, Esq;
Josiah Dwight, Esq;

Nays.

Hon. James Allen, Esq;
Mr. Samuel Niles, Jun.
Mr. Jacob Cushing,
Mr. Simon Plympton,
John Choate, Esq;
Mr. Benjamin Greenleaf,
Joseph Gerrish, Jun. Esq;
Mr. Humphry Hobson,
Caleb Cushing, Esq;
Mr. Isaac Morrill
Capt. Benjamin Milliken,
Mr. Elijah Porter,
Capt. John Dodge,
William Brattle, Esq;
Mr. Simon Hunt,
Ebenezer Nichols, Esq;
Mr. Samuel Witt,
William Lawrence, Esq;
Capt. Enoch Kidder,
Mr. Benjamin Hills,
Samuel Livermore, Esq;
Thomas Reed, Esq;
Mr. Joseph Houlton,

Capt.

William

Yeas.
 Capt. Israel Ashley,
 John Chandler, Jun. Esq;
 William Ayres, Esq;
 John Murray, Esq;
 Timothy Ruggles, Esq;
 Thomas Foster, Esq;
 Thomas Clap, Esq;
 Gamaliel Bradford, Esq;
 John Winslow, Esq;
 Capt. Nathanael Smith,
 David Stockbridge, Esq;
 Mr. Elisha Barrow,
 James Otis, Esq;
 Capt. Aaron Kinsley,
 Capt. Nathanael Sole,
 Mr. Benjamin Day,
 Mr. John Winslow,
 Jedediah Prebble, Esq;

Nays.
 William Richardson, Esq;
 Mr. John Haywood,
 Mr. Phineas Haywood,
 Capt. Nathan Tyler,
 Mr. Daniel Greenwood,
 Capt. Josiah Edson,
 Mr. Israel Turner,
 Mr. Isaac Bonny,
 Mr. Jacob Porter,
 Mr. Israel Tisdale,
 Mr. John Bradbury,
 Nathanael Sparhawk, Esq;
 Capt. Ichabod Goodwin,
 John Storer, Esq;

Yeas and
 Nays on the
 Union.

Ordered, That Mr. *James Bowdoin*, Col. *Otis*, Col. *Choate*, Col. *Committee*
Brattle, Col. *Hale*, Mr. *Tasker*, and Judge *Russell*, with such as the for a general
 honourable Board shall join, be a Committee to consider of and Plan of U-
 report a general Plan of *Union* of the several Colonies on this Con- nion.
 tinent, except those of *Nova-Scotia*, and *Georgia*.

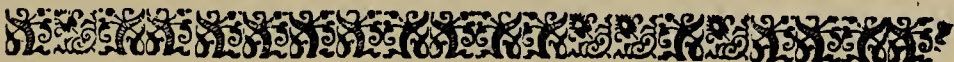
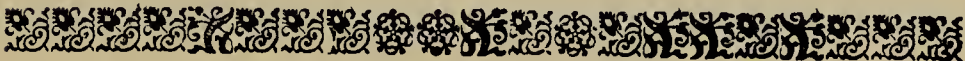
Sent up for Concurrence.

Ordered, That Col. *Otis* go up to the honourable Board, and en- Message
 quire whether they have pass'd on the Excise-Bill; and if not, to from the
 desire it may be sent down. Board.

Who returned he had delivered the Message.

John Chandler, Esq; brought down the said Bill accordingly. Amend-
 And after making sundry Amendments therein, the said Bill was ments on a
 sent up again. Sent up for Concurrence. Bill.

Then the House adjourn'd 'till Monday next three o'Clock Afternoon.






VOTES

Of the House of Representatives.



Lunæ 16. Die Decembris, A. D. 1754.


 Petition of *Timothy Ruggles*, Esq; Agent for the Town of *Hardwick*, setting forth the difficult Circumstances of said Town, and praying that a Fine imposed on them for not sending a Representative in the Year 1751, may be remitted, for the Reasons mentioned.
 Petition of *Timothy Ruggles*, Esq;

Read and *Ordered*, That the Prayer of the Petition be granted; and that the Sum of *eight Pounds*, the Sum the said Town was fined in the Year 1751, for not sending a Representative, be paid out of the publick Treasury to the Select-Men of the Town of *Hardwick*, for the Use of the said Town.

Sent up for Concurrence.

A Petition of *Jonathan Kenny* of *Stoughton*, praying that his Account of Charges in Nursing and Boarding one *Benjamin Blackman*, a Soldier in the late Service at the Eastward, who was taken sick at the Petitioner's House, on his Return home, and also the Doctor's Bill, therewith exhibited, may be allowed him, for the Reasons mentioned.
 Petition of *Jonathan Kenny*.

Read and *Ordered*, That Mr. *Jacob Porter*, Major *Chandler*, and Mr. *Allen*, be a Committee to consider the Petition, and report what they think proper for this Court to do thereon.

George Leonard, Esq; brought down a Petition of *Lettice Wyer* of *Boston*, Widow, praying that the Sum of *twelve Pounds thirteen Shillings and four Pence*, which in her late Husband's Life-time was deposited in the Hands of *Samuel Danforth*, Esq; may be paid her for the Relief of her self and Children, for the Reasons mentioned.
 Petition of *Lettice Wyer* bro't down

In Council *December* 12th 1754. Read and sent down.

Read and *Ordered*, That the Petition lie on the Table.

Bill brought down. *John Greenleaf, Esq;* brought down a Bill Intituled *An Act declaring in what Manner the Decrees and Orders of the Governour and Council in Controversies concerning Marriage & Divorce shall be carried into Execution.* Pass'd in Council, viz. In Council December 12th 1754. Read a first Time. December 14th Read a second Time, and pass'd to be engross'd. Sent down for Concurrence.

Read a first Time, and Ordered, That the Bill have a second Reading to Morrow at three o'Clock Afternoon.

Governor's Message of the 10th committed. On a Motion made and seconded, Ordered, That His Excellency's Message of the 10th Currant, be committed to Judge *Saltonstall*, Mr. *Quincy*, Mr. *Sparhawke*, Col. *Otis*, and Major *Chandler*, to consider the same, and report what they think proper for this Court to do thereon.

Message from the Board. *John Chandler, Esq;* came down with a Message from the honourable Board, desiring that some Papers relating to the Union may be sent up.

Mr. *Gibbs* carried up the said Papers accordingly.

Then the House adjourn'd till to Morrow Morning ten o'Clock.

Partis 17. Die Decembris, A. D. 1754.

Mr. *Allen* to bring in a Bill. ON a Motion made and seconded, Ordered, That Mr. *Allen* have Liberty to bring in a Bill for erecting the District of *Spencer* into a Township.

Petition of *Rehoboth* Select-men. A Petition of the Select-Men of *Rehoboth*, agreeable to a Petition preferred to this Court, as entred the 18th of *October* last.

Read and Ordered, That Col. *Otis*, Col. *Leonard*, and Judge *Saltonstall*, be a Committee to take the same under Consideration, and report thereon.

Report on Petition of *John Walker*. The Report of a Committee on the Petition of *John Walker*, as entred the 1st of *April* last, was read again, and accepted, and thereupon Ordered, That the Prayer of the Petition be granted, and that the Petitioner be allowed and paid out of the public Treasury nine Pounds six Shillings and eight Pence in full for his Wages as a Soldier at *Cape-Breton*. Sent up for Concurrence.

Message to the Board. Ordered, That Col. *Storer* go up to the honourable Board, and acquaint them, that the House propose now to come to the Choice of Guardians to the *Punkapoug* Indians, if it be agreeable to them. Who returned he had delivered the Message.

Message from the Board. *John Chandler, Esq;* came down from the honourable Board, and informed the House, that they agreed to the above Propofal.

Ordered, That Col. *Clap*, Col. *Brattle*, and Capt. *Stevens*, be a Committee to carry up the Votes of the House for the Choice of Guardians

Guardians to the *Punkapoug* Indians, assist in sorting and counting them, together with the Votes of the honourable Board, and report to the House.

The said Committee carried up the Votes for the said Guardians accordingly ; and reported, That *John Quincy*, and *Robert Spur*, Esqrs; and Mr. *Samuel Niles*, Jun. were chosen for that Trust. Guardians chosen for the *Punkapoug* Indians.

On a Motion made and seconded, That the Petitions of *John Wright* and others, and *Samuel Goodwin* and others, Inhabitants on *Kennebeck-River*, as entred the 19th of *October* last, may be considered. Order on Petitions of Inhabitants of *Kennebeck River*, *Wiscasset* &c.

The said Petitions were read, together with a Memorial of *Jonathan Williamson* and others, Inhabitants of *Wiscasset* and *Mountsweeg-Bay*, praying that they may be erected into a Township or District, according to the Bounds therein mentioned ; and that they may not be annexed to *Frankfort*, for the Reasons mentioned : And also a Petition of *Stephen Whiting* and *William Skinner*, as entred the 1st of *November* last. And thereupon,

Ordered, That Capt. *Ruggles*, Mr. *Wellcs*, *Nathanael Russell*, Esq; Capt. *Livermore*, and Col. *Dwight*, be a Committee to take the said Petitions under Consideration, and report what they think proper for this Court to do thereon.

John Hill, Esq; brought down a Bill Intituled *An Act relating to Barberry Buses*. Pass'd in Council, viz. In Council *December* 5th 1754. Read a first Time. 17th Read a second Time ; and concurred with the Amendment at A, B, D & E. Bill brought down &c.

Sent down for Concurrence

Read and concur'd with the Amendments at A, B, & E, with the further Amendment at F. Sent up for Concurrence.

A Memorial of *Samuel Goodwin* of *Frankfort*, obviating sundry Articles contained in the Memorial of *Jonathan Williamson* and others aforementioned ; wherein his Character is, as he apprehends, very injuriously treated ; and further enforcing the Petitions signed by himself and others, Inhabitants on *Kennebeck-River*, aforementioned, was read ; together with sundry Papers accompanying the same : And thereupon, Memorial of *Samuel Goodwin*.

Ordered, That the said Memorial and other Papes, be committed to the Committee appointed on the above-mentioned Petitions of *John Wright*, and others &c. for Consideration. [Papers]

Post Meridiem.

John Chandler, Esq; brought down the Petition of *Jeremiah Williams*, as entred the 30th of *May* last ; with the Report of the Committee thereon. Signed *James Minot*, per Order. Petition of *Jer. Williams* bro't down.

Pass'd in Council, viz. In Council *December* 12th 1754. Read and accepted, and thereupon Ordered, That the Prayer of the Petition be granted, and that *Jeremiah Williams* be and hereby is impowered to prosecute his Action of Trespas commenced

commenced against *John Morey* in *July 1753*, at the next Inferiour Court of Common Pleas to be holden at *Boston* in and for the County of *Suffolk*, on the first Tuesday of *January* next ; and the Justices of the said Court are hereby impowered and directed to hear and try the said Action, enter up Judgment, and award Execution thereon ; the Award & Judgment of Court within mentioned notwithstanding, provided the said *Williams* give the said *Morey* seasonable Notice of this Order : *And it is further Ordered*, That *John Dowse* be and hereby is impowered to prosecute his Appeal from the Sentence given against him by *Ebenezer Pierpont*, Esq; within mentioned, at the Court of General Sessions of the Peace to be holden for the said County on the first Tuesday of *January* next aforesaid ; and the Justices of the said Court hereby are impowered and directed to hear and try the said Action, to enter up Judgment, and award Execution thereon, as fully to all Intents and Purposes as tho' the same had not been included in the Award aforementioned, provided the said *Dowse* seasonably notify the said *Morey* of this Order.

Sent down for Concurrence.

Read and concur'd.

Resolve on
a Bill.

On a Motion made and seconded, that the House would reconsider their Vote of *December 5th* Currant, for referring the Consideration of a Bill Intituled *An Act for charging Counties in certain Cases with the Costs of prosecuting Criminal Offenders &c.*

Resolved, That the House will take the said Bill under Consideration : And the said Bill was accordingly read a first Time ; and *Ordered*, That it have a second reading to Morrow Morning eleven o'Clock.

Letter from
Thomas Steel,
Esq;

Mr. Speaker communicated a Letter from *Thomas Steel*, Esq; excusing himself for not attending his Duty in the House, by Reason of Sicknefs.

Message to
the Board.

Ordered, That *Col. Brattle* go up to the honourable Board, and enquire whether they have pass'd on the Vote of Saturday last for appointing a Committee to consider of a general Plan of Union of the several Colonies in *North-America* ; and if not, that they would pass upon it as soon as may be.

Who returned he had delivered the Message ; and that he was informed, the honourable Board had not so far considered the same as to come to a Vote thereon as yet.

Bill read.

A Bill Intituled *An Act declaring in what Manner the Decrees and Orders of the Governour and Council in Controversies concerning Marriage and Divorce shall be carried into Execution.*

Read a second Time. And *Ordered*, That the Bill lie on the Table for the present.

Then the House adjourn'd 'till to Morrow Morning nine o'Clock.

Mercurii 18. Die Decembris, A. D. 1754.

ON a Motion made and seconded, *Voted*, That the Captain-General be desired to give Orders that the Forces posted at *Blanford, Greenfield, Southampton,* and Number *Four* in the County of *Hampshire*, be withdrawn. Vote for dismissing Soldiers.

Sent up for Concurrence.

According to the Order of the Day, a Bill Intituled *An Act for charging Counties in certain Cases with the Costs of prosecuting criminal Offenders &c.* was read a second Time ; and *Ordered*, That *Col. Brattle, Judge Russell,* and *Col. Otis*, with such as the honourable Board shall join, be a Committee to take the Bill under Consideration, to make Amendments, and report thereon. Order on a Bill.

Sent up for Concurrence.

Ordered, That *Col. Hale, Col. Choate, Mr. Tasker, Mr. Stevens, Mr. Thomas Foster, Mr. Welles,* and *Col. Otis*, be a Committee to take under Consideration the State of the Cod-Fishery, and report thereon. Committee on Cod-Fishery.

Ordered, That *John Tasker, Esq;* be and hereby is impowered to receive of the Province Treasurer, the Money granted by the General Court to *Eunice Hooper* in *April* last, being *sixty six Pounds thirteen Shillings & four Pence*, in the Room of the *Rev. Mr. Bradstreet* (who refuses to accept that Trust) the same to be applied by the said *Mr. Tasker*, as he in his Discretion shall judge best for the Use and Benefit of the said *Eunice* and her Children. *John Tasker, Esq;* impowered to receive *Eunice Hooper's* Money.

Sent up for Concurrence.

Mr. Allen according to Order, reported a Bill Intituled *An Act for erecting the District of Spencer into a Township by the Name of—* Bill read.

Read a first Time, and *Ordered*, That the Bill have a second reading at three o'Clock Afternoon.

Post Meridiem.

The Committee appointed on the Petition of *Ebenezer Bacon*, reported according to Order. Report on Petition of *Eben. Bacon*.

Read and accepted, and *Ordered*, That the Prayer of the Petition be so far granted, as that there be paid out of the public Treasury the Sum of *five Pounds ten Shillings* to the Petitioner, to enable him to discharge the Debt mentioned in the Petition, with the Charges arising on said Action. Sent up for Concurrence.

Ordered, That *Capt. Livermore* go up to the honourable Board, and enquire, whether they have passed upon a Vote of this House of the third Instant, appointing a Committee to take under Consideration a Letter from *Lady Warren* ? Message to the Board relating to *Lady Warren's* Letter.

Who returned that he had delivered the Message ; and was informed, that they had joined the House in the Choice of a Committee to consider the said Letter ; but that the Committee had not yet sat.

A Bill Intituled *An Act for the better securing and rendering more effectual Grants and Donations to pious and charitable Uses, and for the better Support and Maintenance of Ministers of the Gospel, and defraying other Charges relating to the publick Worship.* Bill read

Read a third Time, and concurred with the Amendments at A, b, c, d, E, f, & G. Sent up for Concurrence.

Petition of *Samuel Lowell* A Petition of *Samuel Lowell* of *Almsbury*, setting forth, that he was taken out of one of the Transports, and employed on Shore in building Batteries &c. for the Reduction of *Louisbourg*; which Service he attended the whole Time of the Siege; but has never received any Pay therefor; and praying that an Allowance may be now made him equivalent to his said Services.

Read and Ordered, That Col. *Hale*, Mr. *Witt*, and Mr. *Greenleaf*, be a Committee to take the Petition under Consideration, and report what they think proper for this Court to do thereon.

Bill read. A Bill Intituled *An Act for erecting the District of Spencer into a Township by the Name of*——

Read a second Time, and Ordered, That the Bill lie on the Table.

Committee for a Bill. On a Motion made and seconded, Ordered, That Judge *Saltonstall*, Col. *Brattle*, and Capt. *Livermore*, be a Committee to prepare and bring in a Bill to prevent the Destruction of Apple-Trees by Canker-Worms.

Message to the Board. Ordered, That Capt. *Livermore* go up to the honourable Board to inquire, whether any Thing is like to come down this Afternoon. Who returned that he had delivered the Message, but received no Answer.

Order relating to a Court-House. On a Motion made and seconded, Ordered, That the House will take under Consideration the Affair of removing the Court-House out of the Town of *Boston*, to Morrow at eleven o'Clock in the Forenoon.

Then the House adjourn'd 'till to Morrow Morning ten o'Clock.

Jovis 19. Die Decembris, A. D. 1754.

Excise Bill enacted. A N engross'd Bill Intituled *An Act for granting to his Majesty an Excise upon Spirits distilled and Wine, and upon Limes, Lemmons and Oranges.* Read and Resolved, That the Bill pass to be enacted.

Mr. Campbell excused. *Duncan Campbell*, Esq; appeared in the House, and excused his not attending his Duty this Sitting of the Court, by Reason of Sickness in his Family. Which Excuse was accepted.

Report relating to the Stockbridge Indians. *John Hill*, Esq; brought down the Report of the Committee appointed on his Excellency's Message of the 13th Instant, and Letter from Col. *Williams*, accompanying the same.

Signed *Samuel Watts*, per Order.

Viz. That they are of Opinion, that in order to relieve the Indians at *Stockbridge* under their distressing Circumstances, and to attach them the more to the English Interest; they be received as Soldiers in the Province Service, and receive Pay and Subsistence as such, and put under the Care and Direction of some good Officer, that

that will use them well, for the Space of six Months; and that they be informed, that they may come to this Court, and relate their Grievances, or otherwise this Court will send up a Committee to them to inquire of the same, in order to have them redressed, as they shall desire.

Pass'd in Council, *viz.* In Council *December* 19th 1754. Read and Ordered, That this Report be accepted.

Sent down for Concurrence. Read and concur'd.

John Erving, Esq; brought down the following Vote of Council, *viz.* In Council *December* 19th 1754.

Vote of
Council
bro't down.

His Excellency the Governour having laid before the Board a Letter from *Salem*, advising of a considerable Quantity of Provisions, laden on Board divers Vessels, in order to be carried to the *French*: And it appearing to the Board to be very necessary at this Juncture, that Supplies to the *French* should be restrained not only from this, but also from the other *British* Colonies:

Therefore Ordered, That *Benjamin Lynde*, *John Cushing*, and *Stephen Sewall*, Esqrs; with such as the honourable House shall appoint, be a Committee to consider and report as soon as may be, what is proper for this Court to do on this Occasion.

Sent down for Concurrence.

Read and concur'd, and Mr. *Welles*, Col. *Choate*, Judge *Russell*, and Mr. *Tafker*, are joined in the Affair.

Post Meridiem.

John Erving, Esq; brought down the Report of the Committee appointed on Lady *Warren's* Letter, as entred the 3d Instant.

Report on
Lady *War-*
ren's Letter
bro't down.

Signed *Andrew Oliver*, per Order. *Viz.* That they are of Opinion that the Treasurer be directed to receive the said Money, and give a proper Discharge for the same; and that the Interest thereof be annually applied towards the Education of Indian Children, agreeable to the Intention of her late Husband Sir *Peter Warren*, deceased; and that the Secretary be directed to write to Lady *Warren*, and return the Thanks of this Court to her Ladyship, for the Readiness she has shewn to have this good Design carried into Execution. Pass'd in Council, *viz.* In Council *December* 19th 1754. Read and Ordered, That this Report be accepted. Sent down for Concurrence.

Read and Ordered, That the Report lie on the Table: And that Col. *Otis*, Judge *Russell*, and Col. *Brattle*, be a Committee to examine what has pass'd between this Government, and the late Sir *Peter Warren*, deceased, with Regard to his Donation of *Seven Hundred Pounds* Sterling, mentioned in Lady *Warren's* Letter.

John Greenleaf, Esq; brought down the Report of the Committee appointed on the Petition of *Mary Clapham*, as entred the 3d Instant.

Report on
Petition of
Mary Clap-
ham.

Signed *Benjamin Lynde*, per Order. Pass'd in Council, *viz.* In Council *December* 18th 1754.

Read and accepted, and the Petitioner has Leave to bring in a Bill accordingly.

Sent down for Concurrence.

Read and concur'd.

John

Bill brought down and read. *John Greenleaf, Esq;* brought down a Bill Intituled *An Act to Dissolve the Marriage of Mary Clapham with William Clapham, to allow her to marry again, and to make Provision for her out of his Estate in Lieu of Alimony.* Pass'd in Council, viz. In Council December 18th 1754. Read a first Time. December 19th Read a second Time, and pass'd to be engross'd. Sent down for Concurrence.
Read a first Time.

Report on Petition of Samuel Lowell. The Committee appointed on the Petition of *Samuel Lowell*, reported according to Order.
Read and accepted, and *Ordered*, That the Prayer of the Petition be so far granted, as that the Petitioner be allowed and paid out of the public Treasury the Sum of *three Pounds* in full Consideration of his Services mentioned in the Petition.
Sent up for Concurrence.

Question & Resolve on Removing the Court-House. The House according to Order, took under Consideration the Affair of Removing the Court-House out of the Town of *Boston* : And after a Debate had thereon ; The Question was put, *Whether there shall be erected a Court-House out of the Town of Boston ?* And it pass'd in the Affirmative.
And thereupon *Resolved*, That there shall be a Court-House erected for the holding the General Assembly of this Province in some Part of the Town of *Watertown*. Sent up for Concurrence.

Petition of David Morse bro't down, and Order thereon. *Samuel Danforth, Esq;* brought down the Petition of *David Morse* and others, Inhabitants of *Natick*, as entred the 12th of December, with the Report of a Committee of both Houses.
Signed *Samuel Danforth*, per Order.

Pass'd in Council, viz. In Council December 19th 1754. Read and accepted, and thereupon *Ordered*, That the Petitioners and their Associates (including such as by Order of this Court in December last were annexed to them) be, and they are hereby embodied for the Purposes mentioned in the Petition ; and it shall be lawful for them to hold Meetings from Time to Time as there shall be Occasion (such Meetings to be called and warned in Manner, as by Law Precinct Meetings are to be called) and at their first Meeting and in the Month of *March* annually, by a major Vote to chuse a Moderator, Clerk, and one or more Collectors for collecting the Sums agreed on, or that (by the Majority of the Voters present at any legal Meeting called for that Purpose) may be agreed on for the Support of the Reverend Mr. *Badger*, or any other ministerial Charges, together with other necessary Charges, and may agree upon any other Method for calling such Meetings for the future.
Sent down for Concurrence. Read and concur'd.

Order on Petition of Eunice Hooper bro't down. *Samuel Danforth, Esq;* brought down the Order that passed Yesterday, relating to the Grant made to *Eunice Hooper* in April last. Pass'd in Council, viz. In Council December 18th 1754. Read and concur'd with an Amendment.
Sent down for Concurrence. Read and concur'd.

John Otis, Esq; brought down the Order passed this House the 14th Instant, appointing a Committee to consider and report a Plan of Union. Pass'd in Council, viz. In Council *December* 19th 1754. Read and concur'd with the Amendments at A & B; and *Benjamin Lynde, Samuel Watts, Ezekiel Cheevers, Andrew Oliver, Thomas Hutchinson, and Stephen Sewall*, Esqrs; are joined in the Affair. Order relating to the Plan of Union.

Sent down for Concurrence.

Read and concur'd.

Ordered, That *Col. Brattle, Mr. John Hunt, and Judge Russell*, with such as the honourable Board join, be a Committee to repair to the Town of *Watertown*, to pitch upon a convenient Place whereon to erect a Court-House for the holding of the General Assembly of this Province, enquire on what Terms the Land suitable for said Building and its Accommodations may be had, prepare a Plan of the Building proposed, and report thereon to this Court as soon as may be. Committee to repair to *Watertown*.

Sent up for Concurrence.

Then the House adjourn'd 'till to Morrow Morning ten o'Clock.

Veneris 20. Die Decembris, A. D. 1754.

A Bill Intitl'd *An Act to dissolve the Marriage of Mary Clapham, with William Clapham, to allow her to marry again, &c.* Bill read and committed.

Read a second Time: And

Ordered, That *Judge Saltonstall, Col. Otis, and Col. Choate*, be a Committee to take the same under Consideration, and make the proposed Amendments.

Ordered, That *Capt. Livermore* go up to the honourable Board, and desire that the Papers relating to the Petition &c. of *Mary Clapham*, may be sent down. Message to the Board.

Who returned that he had deliverd the Message.

Mr. Secretary came down with a Message from the honourable Board, and informed the House, that there was but one Evidence in Writing in *Clapham's* Case, and that the other Evidences were taken *viva voce*. Message from the Board.

John Chandler, Esq; came down with a Message from the honourable Board, to desire that the Committee on the Union may be directed to sit forthwith. Message from the Board.

Joseph Pyncheon, Esq; came down with a Message from the honourable Board, proposing an Amendment in the Order which passed the two Houses Yesterday, relating to the Petition of *David Morfe* and others, Inhabitants of *Natibk*. Message from the Board.

[Natick]

To which Proposal the House agreed.

The Committee appointed on his Excellency's Message of the 10th Currant, reported according to Order.

X x

Read

Report on
Governor's
Message of
the 10th. and
Order there-
on.

Read and accepted, and *Ordered*, That the Captain-General be desired to give Orders for reinforcing the Garrison at *Fort-Hallifax* with a further Augmentation of sixty effective Men, to be taken out of the Independent Companies at the Eastward, and to be employed in Scouting up the River *Kennebeck* and Parts adjacent, in order to a more seasonable and early Discovery of an Enemy's Approach, if such there should be. And that the Captain-General be further desired to hold in Readiness four Hundred and forty Men more, to be raised out of the aforesaid Independent Companies, and the Militia nearest the said Garrison from whence they may be best spared, to march instantly for their Relief on the first Advice of an Attack, or the Approach of such Enemy.

Also *Ordered*, That the aforesaid sixty Soldiers be kept in the Pay of this Government for three Months, and then dismissed; and that the other four Hundred and forty Men aforesaid be entitled to no Pay, but from the Day they shall march.

Sent up for Concurrence.

Voted, That the Captain-General be desired to give Directions that five Cohorn Mortars be sent to *Fort-Hallifax* on *Kennebeck-River*, as soon as may be.

Sent up for Concurrence.

Mr. Secretary
attended
the House,
and inquired
of.

Ordered, That the Secretary be directed to attend the House.

Mr. Secretary attended accordingly: When Mr. Speaker inquired of him, whether the honourable Board had pass'd on the Excise Bill; and whether it had been laid before his Excellency; and whether he had given his Consent thereto?

To which Mr. Secretary answered, That the Board had concurr'd the Bill; that it had been laid before his Excellency; and that he had given his Consent to it.

Resolve on
the Choice
of Commit-
tees.

On a Motion made and seconded, *Resolved*, That the House will come to the Choice of Committees to farm out the Excise on Spirits distilled, and Wines, in the several Counties within the Province, on Tuesday next at three o'Clock Afternoon; Also that they will then come to the Choice of Civil Officers for the Year Currant.

Report of a
Committee
on Gover-
nor's Mes-
sage of the
26th ult.
bro't down.

John Greenleaf, Esq; brought down the Report of a Committee appointed on his Excellency's Message of the 26th of *November* last, and Letter from the honourable *Horatio Sharpe*, Esq; accompanying the same.

Signed *Jacob Wendell*, per Order.

Pass'd in Council, viz. In Council *December* 19th 1754. Read and accepted, and *Ordered*, That *John Chandler*, and *Andrew Oliver*, Esqrs; with such as the honourable House shall join, be a Committee to wait on his Excellency with the Message, accompanying the Report.

Sent down for Concurrence.

Read and *Ordered*, That the same lie for the further Consideration of the House, 'till the Afternoon.

Mr. Secretary came down with a Message from his Excellency the Governour: Which he read and laid on the Table, and then withdrew.

His Excellency's Message is as follows, viz.

Gentlemen of the House of Representatives,

Whilst your Attention was closely employed in providing a Supply for the Treasury, I would not divert it from the publick Business, by moving any Matters to you which concerned my own private Interest : But I hope that now it may not be an improper Time to move you to take under your Consideration my late Services in the Expedition upon the River Kennebeck, and in the Eastern Parts of the Province, and to make me an adequate Grant for them.

Governor's
Message re-
specting a
Grant.

I hope, Gentlemen, at the same Time that the Grant which was made me of about the Value of Three Hundred Pounds Sterling by the Assembly in the Year 1745, for my extraordinary Services in going to Louisbourg that Year at their Request, but never paid, will not escape your Consideration.

You will find the State of that Matter comprized in the Message of the last Assembly to me upon that Subject, in your Journals of last January, and in my two Answers to that Message, in which the principal Matter urged in that Message against the Payment of that Grant to me, now seems to be so fully cleared up, as to admit of no Doubt concerning the Justice of my Request.

Council Chamber Dec. 20. 1754.

W. SHIRLEY.

His Excellency's foregoing Message was read again ; and Ordered, That the same be taken under Consideration at three o' Clock Afternoon.

Post Meridiem.

The House, according to Order, took under Consideration the Report of the Committee of both Houses on his Excellency's Message of the 26th of November last, and Papers accompanying the same ; and Vote of Council thereon. Read again and concur'd, and Mr. Welles, Mr. James Bowdoin, and Mr. Tisdale, are joined to the Committee, to wait on his Excellency with the following Message.

Report on
Governor's
Message of
the 26th ult.

May it please your Excellency,

WE have given great Attention to your Excellency's Message of the 26th of November, recommending to our Consideration the Subject-Matter of a Letter which you had received from the Hon. HORATIO SHARPE, Esq; Governour of Maryland, relating to the present State of His Majesty's Territories upon the River Ohio, within the Government of Virginia, and the Parts adjacent.

Message to
the Govern-
ors Message
relating to
Governor
Sharpe's Let-
ter.

We have often signified to your Excellency, that we are fully convinced of the great Importance of repelling the French from the Encroachments made on any Parts of his Majesty's Dominions upon this Continent : We are sensible likewise, that the Defence of any one Colony, ought to be considered as the common Interest of all : A Neutrality in this Case, however it may seem to others, appears to us to be infamous : And altho' we are situated the most remote from Virginia of any of his Majesty's Colonies, except Nova Scotia ; yet we would readily afford them all the Assistance
in

in our Power, upon every pressing Occasion : But we assure your Excellency, that so far as relates to Assistance by Money, it is absolutely out of our Power, at this Time to comply with Governour SHARPE's Request : For by Means of the Eastern Expedition, and the Defence of the several Parts of the Frontiers, in the Summer past, we have incurred a Charge upon the Province equal, as we apprehend, to the Expence of the Colony of *Virginia*, and of all the other Governments which have assisted them put together. This Charge it is true we have not yet paid, nor was it possible for us to do it, but we are in Debt for it, and have stretched our Credit so far, that were it not for the humble Trust and Confidence which we have in his Majesty's Favour, always distributed to his Subjects in Proportion to their Necessities and Services, we should see but a poor Prospect of doing what is further necessary for our own immediate Protection : And as for Assistance by Men, while we are attacked our Selves on every Side by small Parties, and have Intelligence of an Army designed against the Northern Parts of the Continent ; we have all imaginable Reason to suppose that we shall have Occasion for all our Men that are fit for Service, for our own Protection and Defence ; and by employing them elsewhere, we should not only act against the particular Interest of the Inhabitants of this Government, but against the general Interests of all his Majesty's Colonies upon the Continent.

Order on an
Abstract of
the Excise
Bill.

On a Motion made and seconded, that some Method be taken to apprise the Inhabitants of the several Towns and Districts of this Province with the Excise Act, now passed this Court :

Ordered, That an Abstract of the said Act be printed, and sent to the Clerks of the several Towns & Districts within this Province.

Also *Ordered*, That Col. *Otis*, Capt. *Livermore*, and Col. *Brattle*, be a Committee to draw up an Advertisement containing an Abstract of the Excise Act, to be printed and sent to the several Towns and Districts as aforesaid.

Grants to his
Excellency.

The House according to Order, took under Consideration his Excellency's Message of the Forenoon ; and after a Debate had thereon, *Voted*, That the Sum of *two Hundred Pounds*, be granted and paid out of the public Treasury to his Excellency WILLIAM SHIRLEY, Esq; Captain-General and Governour in Chief of this Province, in full Consideration of his Services in going to *Louisbourg* in 1745.

Sent up for Concurrence.

Also *Voted*, That the Sum of *two Hundred and fifty Pounds*, be granted to his Excellency WILLIAM SHIRLEY, Esq; Captain-General and Governour in Chief of this Province, in full Consideration for his Services at the Eastward the Summer past.

Sent up for Concurrence.

Secretary directed relating to the D. of *Newcastle's* Letter &c.

On a Motion made and seconded, *Ordered*, That the Secretary be directed to lay before the House, the Duke of *Newcastle's* Letter respecting the intended Expedition against *Canada* ; and Mr. Agent *Bollan's* Memorial relating to the Reimbursement of the Charges of the said intended Expedition, and the Papers which accompanied the same.

The

The Deputy Secretary attended accordingly with Mr. Agent *Bollan's* Memorial, and the Papers accompanying the same ; and informed the House, that he had made Search for the Duke of *Newcastle's* Letter, but could not find it ; and that he imagined, it was consumed when the Court-House was burnt.

Then the House adjourn'd till to Morrow Morning ten o'Clock.

Sabbati 21. Die Decembris, A. D. 1754.

THE Committee appointed on the Petition of *Jonathan Kenny*,
reported according to Order.

Read and *Ordered*, That the Petition be recommitted for further Enquiry.

A Petition of *John Sweet* of *Haverhill*, praying that he may be licenced an Innholder in said Town, for the Reasons mentioned.

Read and *Ordered*, That the Prayer of the Petition be so far granted, as that the Justices of the Court of General Sessions of the Peace for the County of *Essex*, be and hereby are impowered, at their next Term, to Licence the Petitioner (if they see fit) to keep an House of public Entertainment in the said Town of *Haverhill*, he first obtaining the Approbation of the Select-Men of said Town, the Time for granting Licences being elapsed notwithstanding.

Sent up for Concurrence.

A Petition of *John Mansfield* of *Lynn*, a Soldier in the late Expedition to the Eastward, setting forth that he was visited with Sickness on his Return to his Family, and praying that an Allowance may be made him sufficient to pay the Charges arising thereon, or that he may be otherwise relieved under his difficult Circumstances.

Read and *Ordered*, That Capt. *Nichols*, Col. *Lawrence*, and Capt. *Smith*, be a Committee to consider the Petition, and report to this House thereon.

The Committee appointed to draw up an Advertisement containing an Abstract of the Excise Act lately pass'd this Court, reported according to Order.

Read and *Ordered*, That the foregoing Advertisement be forthwith printed, and sent to the Clerks of the several Towns and Districts within this Province ; who are hereby directed to post up the same in some public Place in their respective Towns and Districts ; and also that the same be inserted in the publick Prints of Monday and Tuesday next.

On a Motion made and seconded, *Ordered*, That Col. *Brattle*, Col. *Choate*, and Judge *Russell*, be a Committee to make Enquiry in what Manner the Innholders and Retailers in the several Counties within this Province have Recognized in the several Courts of General Sessions of the Peace within the same ; and Report thereon as soon as may be.

Bill enacted. An engross'd Bill Intituled *An Act to prevent Damage to English Grain arising from Barberry Bushes.*

Read and *Resolved*, That the Bill pass to be enacted.

Isaac Royall, Esq; brought down the following Vote of Council, viz. In Council *December 21st 1754.*

Vote of Council bro't down.

It appearing to the Board, that there is Reason to apprehend from the Motions of the French in Canada, that a Design has been formed for extending their Possessions upon the Eastern Parts of this Province :

Therefore *Voted*, That *Sir William Pepperrell*, and *Thomas Hutchinson*, Esqrs; with such as the honourable House shall join, be a Committee to project and report some Method for discovering the present State of the Carrying-Place between the Rivers *Kennebeck* and *Chaudiere*, either by employing Scouts for that Purpose, or in such other Manner as shall be thought proper.

Sent down for Concurrence.

Read and *Ordered*, That the same lie on the Table.

Message from the Board, relating to *Fort-Hallifax*, and Order thereon.

John Chandler, Esq; came down from the honourable Board, with a Message informing the House, that the Board had not passed on the Order of Yesterday, relating to the Reinforcement of *Fort-Hallifax* ; because they were apprehensive there was not a sufficient Quantity of Provisions & other necessary Stores in the Garrison for the Forces already posted there, and the proposed Augmentation ; and that the Season was so far advanced, that the Transporting the said Articles would be attended with great Difficulty.

Thereupon,

Ordered, That the Commissary-General be directed to attend the House.

Mr. Commissary attended, and was admitted into the House accordingly.

When Mr. Speaker enquired of him, what State *Fort-Hallifax* was in with Regard to Provisions, Bedding &c ?

Mr. Commissary then informed the House, that in *September* last there was Provisions for the eighty Men posted there at that Time for a Twelvemonth ; that there had been none sent for the last Augmentation of thirty Men, there having been no Opportunity of transporting the same since that Time : That he had provided about twenty Beds, Blankets &c. which he proposed should go by Water within about fifty Miles of *Fort-Hallifax*, from whence they must be transported by Land Carriage.

Message to the Board.

Ordered, That Col. *Brattle* go up to the honourable Board, and desire that the Order that pass'd this House Yesterday relating to *Fort-Hallifax* may be sent down.

Who returned he had delivered the Message. And the same was brought down accordingly.

Committee on the State of *Fort-Hallifax*.

Ordered, That Col. *Partridge*, Col. *Choate*, Col. *Otis*, Mr. *Welles*, and Judge *Russell*, be a Committee to take under Consideration the State of *Fort-Hallifax* ; and report what they think further necessary to be done, for the better securing the same ; that the Committee sit forthwith, and report as soon as may be.

A Bill Intituled *An Act to dissolve the Marriage of Mary Clapham with William Clapham, to allow her to marry again, &c.* Bill engross'd.

Read a third Time, and pass'd to be engross'd.

On a Motion made and seconded, *Voted*, That the House will take under Consideration a Grant to Mr. Agent *Bollan*, on Tuesday next at eleven o'Clock in the Forenoon. Vote on Agent *Bollan's* Grant.

A Bill Intituled *An Act in Addition to an Act Intituled An Act for granting to his Majesty an Excise on sundry Articles hereafter mentioned &c.* Bill engross'd.

Read a third Time and pass'd to be engross'd, as taken into a new Draught.

The Committee appointed to take under Consideration the Transportation of the Province Stores to the several Forts & Truck-Houses at the Eastward, reported according to Order. Report of a Committee on Transporting Province Stores, and Order relating to the same.

Read and accepted. And

Whereas Capt. Sanders did in the Year 1750, contract with the Government to transport the Province Stores to the several destined Places at the Eastward for that Year, for the Sum of two Hundred Pounds, which Sum has been paid him in full : And whereas the said Sanders left the Employ he was then in, and went as a Pilot to his Majesty's Ship Success, Lord Colvill Commander, up Penopscut-River, (for which Service he received of the Province eleven Pounds) by Reason whereof the Commissary-General was obliged to pay Isaac Hatch, five Pounds fourteen Shillings and eight Pence for Freight of sundry Stores to the Eastward :

Therefore,

Ordered, That the said Capt. Sanders be accountable to the Province for the said Sum of five Pounds fourteen Shillings & eight Pence, and that he pay the same into the public Treasury. Also

Ordered, That Mr. James Bowdoin, Col. Brattle, and Mr. James Russell, be a Committee to agree with Capt. Sanders or some other Person to transport the Province Stores to the Eastward and elsewhere, at as reasonable a Rate as may be for the future ; or that they procure a Vessel for that Purpose, as they shall judge most for the Interest of the Province ; and to report to the House thereon as soon as may be.

On a Motion made and seconded, that proper Care be taken that the Labourers at *Fort-Hallifax*, and the Transports employed in the late Expedition at the Eastward may be paid off : Order for Pay of Labourers &c.

Ordered, That Mr. William Bowdoin, Col. Storer, and Mr. James Russell, be a Committee to repair to the Treasurer, and enquire whether he is possessed of the whole of the *Six Thousand Pounds* he was directed to borrow by the late Act of this Court ; and whether the Soldiers are paid off ; and if so, what Surplusage of Money is remaining in his Hands ; and report thereon as soon as may be.

Then the House adjourn'd 'till Monday next three o'Clock Afternoon.





VOTES

Of the House of Representatives.



Lunæ 23. Die Decembris, A. D. 1754.

***** N engross'd Bill Intituled *An Act to dissolve the Mar-* Bill enacted.
 ***** riage of Mary Clapham with William Clapham, to al-
 ***** A***** low her to marry again, and to make Provision for her out
 ***** of his Estate in Lieu of Alimony.
 ***** Read and Resolved, That the Bill pass to be enacted.

A Message from his Excellency the Governour by Mr. Secretary,
 viz.

Gentlemen of the House of Representatives,

THE Bill for laying an Excise upon Wines and strong Liquors being now passed through the whole Legislature, I suppose I need not put you in Mind that (how large a Revenue soever this Act may raise for this Government) it can be no present Supply, unless something further be immediately done, to procure upon the Credit of this Fund such Sums of Money as will discharge the present Debts of the Province; and (as far as the Fund it self will be sufficient) answer the further rising Expence for the Support of the Government and the Defence and Protection of the Inhabitants thereof: It will be a full Year before one Penny of this Tax can come into the Treasury; and unless some more effectual Means than hitherto have been practised in like Cases, be used in this, it will be a much longer Time before the Government will have any great Benefit from this Branch of its Revenue.

Message
from his
Excellency
relating to a
Supply &c.

Besides, Gentlemen, it seems to me, to be very ill Policy to have our Treasury never supplied 'till great Debts are first contracted, and the poor Soldiers and other Creditors of the Public are necessitated to spend a great Part of what is honestly due to them in Attendance for obtaining the Payment thereof, and sometimes to sell their Dues at great Loss: and by these Means the Credit of the Government is much sunk, and the Subjects of it more backward to serve it than they would be if they could expect to be paid when the Service is performed: Besides the large Sums which are paid for the Interest of the Money should put us upon more expedite and frugal Ways of raising the Taxes of all Kinds than any which hitherto have been practised.

And I would further add on this Head, that I think it would be a great Point of Wisdom in this Government, especially in the present Conjuncture of our Affairs, always to have a Surplusage in the Treasury, beyond what will fully discharge the Debts already contracted, and the stated accruing Expence of Government in its Circumstances as estimated when the Provision is made, that so in the Recess of the Court there may be no Difficulty to draw out of the Treasury such Sums as may answer every Exigency of Government, lest otherwise irreparable Damage should accrue to the Province.

As therefore, Gentlemen, I must earnestly desire you would look into the State of the Treasury, and get as much Knowledge as you can of the Sum of the Debts owing from the Government, and do your Part for making a full and speedy Supply for the Payment of the public Debts, and for the Support of the Government and the Protection and Defence of the Inhabitants ; and more especially that you would give such Orders for the providing Fire-Arms (according to your former Resolutions) as that we may have them arrive here by the first Ships in the Spring.

Council Chamber Dec. 23. 1754. W. SHIRLEY.

Read and Ordered, That his Excellency's Message be taken under Consideration to Morrow Morning ten o'Clock.

alifax] Report of a Committee on the State of *Fort-Halifax*. The Committee appointed on Saturday last to take under Consideration the State of *Fort-Halifax*, reported.

Read and accepted, and thereupon Voted, That His Excellency the Captain-General be desired as soon as may be to appoint some suitable Person to repair to *Fort-Halifax* on *Kennebeck-River*, with special Authority to strengthen the same, as also the Block-House or Redoubt on the Hill near the same, in such Manner as to make the same Proof against small Cannon in such Parts of those Fortresses as are exposed to the Approach of an Enemy ; and that the said Person be authorized to govern and conduct the whole Affairs of said Garrison during his Stay there ; and that he be directed to employ the Soldiers in Scouting and Garrison Duty ; also do the Labour necessary to strengthen said Fortresses, at such moderate Rates as he may agree with them for : And in Case of the Death or Sickness of said Person, that his Excellency be desired to appoint some other Person to perfect the same : And also that the Captain-General be desired to give Orders for reinforcing said Garrison with forty effective Men to be taken out of the Independent Companies at the Eastward. And further that the Captain-General be desired to order that four Hundred and sixty Men more be raised out of the said Independent Companies, and the Militia nearest the said Garrison from whence they may be best spared, and be held in Readiness to march instantly for their Relief on the first Advice of an Attack or the Approach of an Enemy ; and that the forty Men be kept in the Pay of the Government during the Time the Works are carrying on for the strengthening said Garrison and then dismissed ; and that the said four Hundred and sixty Men aforesaid be intitled to no Pay but from the Day they shall march.

Sent up for Concurrence.

The

The Committee appointed to inquire of the Treasurer whether he is possessed with the whole of the *Six Thousand Pounds* he was directed to borrow by a late Act of this Court &c. reported, That they were informed by the Treasurer that as yet he had been able to borrow no more than *Four Thousand Pounds*; and further, that the Pay of the Officers and Soldiers in the late Expedition up *Kennebeck-River* amounted to *Five Thousand thirteen Pounds seven Shillings and eight Pence* only, so that there will be a Remainder of *Nine Hundred & eighty seven Pounds seven Shillings & eight Pence*: Therefore, Ordered, That the Treasurer be directed to pay out the said Sum of *Nine Hundred eighty seven Pounds seven Shillings & eight Pence*; to the Workmen and Transports employed in said Expedition.

Sent up for Concurrence.

Then the House adjourn'd 'till to Morrow Morning ten o'Clock.

Martis 24. Die Decembris, A. D. 1754.

A Petition of *Joseph Dwight*, Esq; of *Stockbridge*, praying that his Account, together with the Account of Mr. *Elijah Williams* of *Stockbridge*, for supplying of Persons with Provisions and Horse-keeping in the late Alarm at *Stockbridge*, &c. may be allowed.

Read and committed to Col. *Choate*, Col. *Lawrence*, and Capt. *Goodwin*, to consider and report thereon.

A Petition of *Joseph Kellogg*, Esq; of *Sheffield*, praying he may be allowed for his Services as an Interpreter in *Mohawk Language* &c. for the Reasons mentioned.

Read and committed to Col. *Choate*, Col. *Lawrence*, and Capt. *Goodwin*, to consider and report thereon; and that said Committee particularly consider his Services with the Commissioners at *Albany* the last Summer.

Josiah Willard, Esq; brought down the Petition of *Thomas Tufton*, Guardian to *Sarah Libbie*, a Person *non Compos.* Pass'd in Council, viz. In Council December 23d 1754. Read and Ordered, That the Petitioner forthwith serve *John Schuchardt* the adverse Party, with a Copy of this Petition, that he shew Cause, if any he have, on Thursday next, why the Prayer thereof should not be granted.

Sent down for Concurrence.

Read and concur'd with the Amendment at A.

Sent up for Concurrence.

The House according to Order, took under Consideration his Excellency's Message of Yesterday.

Read and Ordered, That Mr. *Allen*, Mr. *James Bowdoin*, Col. *Choate*, Major *Hawley*, and Judge *Russell*, be a Committee to consider and report what it may be proper for the House to do thereon.

Ordered, That the Province Treasurer lay before this House the present State of the Treasury as soon as may be.

Ordered,

Report of a Committee appointed to inquire of the Treasurer.

Petition of *Jos. Dwight*, Esq;

Petition of *Jos. Kellogg*, Esq;

Petition of *Tho. Tufton*, bro't down.

Committee on Gov'r's Message.

Treasurer directed.

Commissary directed. *Ordered*, That the Commissary-General as soon as may be, lay before this House an Estimate of the Charge for the Remainder of the Year.

Message to the Board. *Ordered*, That a Message go up to the honourable Board to inform them that the House propose to come to the Choice of Civil Officers three o'Clock this Afternoon by joint Ballot.

A Message from the honourable Board by Col. *Bourn*, informing that the Board concur with the House as to the Choice of Civil Officers.

Ordered, That the Consideration of a Grant to Mr. Agent *Bollan*, be refer'd 'till Friday next three o'Clock Afternoon.

Message to the Board. *Ordered*, That a Message go up to the honourable Board, desiring they would adjourn, that the Committee upon the Union may sit forthwith.

Petition of *Stephen Pain*. A Petition of *Stephen Pain* of *Malden*, praying that he and his Lands may be exempted from paying Taxes to the new or second Precinct in said Town, for the Reasons mentioned.

Read and *Ordered*, That the Petitioner serve the Clerk of the second Precinct in *Malden* with a Copy of this Petition, that they shew Cause (if any they have) on the second Friday of the next Sitting of the Court, why the Prayer thereof should not be granted.

Sent up for Concurrence.

Order on a Valuation. On a Motion made and seconded, *Ordered*, That the House take under Consideration the Affair of taking a new Valuation of the several Towns in the Province at five o'Clock Afternoon.

Ordered, That the further Consideration of the Bill for dividing the County of *York*, &c. be referred to the next Sitting of the Court.

Petition of *Edw. Gray*. A Petition of *Edward Gray* and others, Rope-makers, praying that they may be relieved respecting the Duty laid upon Hemp imported into this Province by an Act made and passed by the Great and General Court in *May* last, for the Reasons mentioned.

Read and committed to Major *Hawley*, Mr. *James Russell*, Mr. *Quincy*, Col. *Partridge*. and Mr. *Sparhawke*, to consider and report thereon.

Petition of *Charles Apthorp &c.* A Petition of *Charles Apthorp*, Esq; and sundry other Merchants, praying that some Alterations may be made in an Act Intituled *An Act for granting unto His Majesty several Rates and Duties of Impost and Tunnage of Shipping*, pass'd the Great and General Court at their Session in *May* last.

Read and committed to Major *Hawley*, Mr. *James Russell*, Mr. *Quincy*, Col. *Partridge*, and Mr. *Sparhawke*, to consider and report thereon.

Commissary directed. *Ordered*, That the Commissary-General forthwith provide twenty double Beds, and forty single Blankets, and cause the same to be transported to *Fort-Hallifax* on *Kennebeck-River*, for the Use of the forty Men ordered for the Reinforcement of that Garrison, during their Continuance there.

Sent up for Concurrence.

Post Meridiem.

Ordered, That Col. *Brattle*, Mr. *Allen*, and Mr. *John Hunt*, be a Committee to carry up the Votes of the House for the Choice of Civil Officers, assist in sorting and counting them, together with the Votes of the honourable Board, and report the several Elections that shall be made. Committee for sorting Votes.

On a Motion made and seconded, *Voted*, That no Person that shall be elected by this Court into the Office of Treasurer and Receiver General for this Province for the present Year, shall be esteemed duly qualified to enter upon the Execution of that Office, until he shall first have an Oath administered to him for his faithfully performing of his said Office ; and shall also give Bond with sufficient Sureties to the Acceptance of a Committee appointed by this Court for that Purpose, in the Sum of *Thirty Thousand Pounds* Lawful Money to the three eldest Councillors in the Province for the Time being, who are hereby appointed a Committee in Behalf of the Province, and especially authorised for this Purpose, which Bond shall be Conditioned for such Treasurer's truly and faithfully discharging the Duty of his Office according to Law, and for his rendering an Account when and so often as he shall be required by the General Court of all such Sums of Money as he shall from Time to Time receive into the Treasury, and for his well and truly paying to his Successor in said Office, or to any other Person that may be appointed by the General Court to receive the same, all such Sum or Sums of Money as upon such Settlement of his said Accounts or otherwise shall be found due and payable from him to the Province, provided that the said Bond be put in Suit within two Years next after the Date thereof, otherwise to be void and of none Effect ; and that *James Allen* and *William Brattle*, Esqrs; with such as the honourable Board shall join, be a Committee to judge of the Sufficiency of such as may offer to become Sureties for the Treasurer as aforesaid. Province Treasurer to give Bond &c. Sent up for Concurrence.

Ordered, That a Message go up to the honourable Board to inform them the House are ready to proceed to the Choice of Civil Officers. Message to the Board.

John Chandler, Esq; came down from the honourable Board, and informed the House, the Board were ready to join the House in the Choice of Civil Officers. Message from the Board.

Jacob Wendell, Esq; brought down the Vote of the House enjoining the Person that may be chosen Province Treasurer, to give Bonds before he enter upon his Office &c. Pass'd in Council, viz. In Council *December* 24th 1754. Read and concur'd with the Amendment at A, viz. dele *thirty*---and insert *twenty*---and *Jacob Wendell*, Esq; is joined in the Affair. Vote relating to the Treasurer bro't down. Sent down for Concurrence.

Read and concur'd.

A a

The

- Treasurer chosen. The Committee appointed on the Part of the House to carry up the Votes for Civil Officers &c. carried up the Votes for a Province Treasurer, and reported that *Harrison Gray, Esq;* was chosen.
- Commissary The said Committee carried up the Votes for an Officer to purchase Provisions &c. for the Soldiers on the Frontiers, and reported that *John Wheelwright, Esq;* was chosen.
- Notaries Publick. The said Committee carried up the Votes for two Notaries Publick for the Port of *Boston*, and reported that *Ezekiel Goldthwait, Esq;* and *Mr. Ezekiel Price*, were chosen.
- Salem, Marblehead, Gloucester, and Newbury* The said Committee carried up the Votes for four Notaries Publick for the Port of *Salem*, one whereof to be an Inhabitant of *Salem*, one of *Marblehead*, one of *Glocester*, and one of *Newbury*, and reported that *Mr. James Jeffries, Mr. John Chipman, William Atkins, Esq;* and *Daniel Witham, Esq;* were chosen.
- Plymouth.* The said Committee carried up the Votes for a Notary Publick for the Port of *Plymouth*, and reported that *Edward Winslow, Esq;* was chosen.
- Barnstable.* The said Committee carried up the Votes for a Notary Publick for the Port of *Barnstable*, and reported that *Solomon Otis, Esq;* was chosen.
- Kittery.* The said Committee carried up the Votes for a Notary Publick for the Port of *Kittery*, and reported that *Mr. Charles Chauncy, Jun.* was chosen.
- Casco-Bay.* The said Committee carried up the Votes for a Notary Publick for the Port of *Falmouth* in *Casco-Bay*, and reported that *Mr. Stephen Longfellow*, was chosen.
- York.* The said Committee carried up the Votes for a Notary Publick for the Port of *York*, and reported that *Daniel Moulton, Esq;* was chosen.
- Edgar-Town.* The said Committee carried up the Votes for a Notary Publick for the Port of *Edgar-Town* on *Martha's-Vineyard*, and reported that *John Norton, Esq;* was chosen.
- Nantuckett.* The said Committee carried up the Votes for a Notary Publick for the Port of *Nantuckett*, and reported that *Mr. John Bunker*, was chosen.
- Truck-Masters. The said Committee carried up the Votes for a Truck-Master at the Block-House at *St. George's River*, and reported that *Capt. Jabez Bradbury*, was chosen.
- St. George's.*
- Kennebeck-River.* The said Committee carried up the Votes for a Truck-Master for the Truck-House on *Kennebeck-River*, and reported that *Capt. William Lithgow* was chosen.

Petition of *Robert Steel*. A Petition of *Robert Steel* of *Boston*, praying that the Court of Sessions for the County of *Suffolk*, may be enabled to Licence him to retail strong Beer, for the Reasons mentioned.

Read and Ordered, That the Prayer of the Petition be so far granted, that the Justices of the Court of General Sessions of the Peace for the County of *Suffolk* at their next Term, be and hereby are authorized and impowered to Licence the Petitioner (if they see

see fit) to be a Retailer of strong Beer, he obtaining the Approbation of the Select-men of the Town of *Boston*, the Time for granting of Licences being elapsed notwithstanding.

Sent up for Concurrence.

Voted, That Capt. *Joseph Williams*, and *Robert Spurr*, Esq; with such as the honourable Board shall join, be a Committee to farm out the Excise on spirituous Liquors for the County of *Suffolk*. *Farmers of Excise. Suffolk.*

Sent up for Concurrence.

Voted, That Col. *Choate* and Col. *Hale*, with such as the honourable Board shall join, be a Committee to farm out the Excise on spirituous Liquors for the County of *Essex*. *Essex.*

Sent up for Concurrence.

Voted, That Col. *Brattle*, and Mr. *James Russell*, with such as the honourable Board shall join, be a Committee to farm out the Excise on spirituous Liquors in the County of *Middlesex*. *Middlesex.*

Sent up for Concurrence.

Voted, That Col. *Partridge* and Col. *Dwight*, with such as the honourable Board shall join, be a Committee to farm out the Excise on spirituous Liquors in the County of *Hampshire*. *Hampshire.*

Sent up for Concurrence.

Voted, That *Timothy Ruggles* and *Moses Marcy*, Esqrs; with such as the honourable Board shall join, be a Committee to farm out the Excise on spirituous Liquors in the County of *Worcester*. *Worcester.*

Sent up for Concurrence.

Voted, That Col. *Clap*, and Mr. *Elisha Barrow*, with such as the honourable Board shall join, be a Committee to farm out the Excise upon spirituous Liquors in the County of *Plymouth*. *Plymouth.*

Sent up for Concurrence.

Voted, That *James Otis* and *David Crocker*, Esqrs; with such as the honourable Board shall join, be a Committee to farm out the Excise on spirituous Liquors in the County of *Barnstable*. *Barnstable.*

Sent up for Concurrence.

Voted, That *Ephraim Leonard*, Esq; and Mr. *Israel Tisdale*, with such as the honourable Board shall join, be a Committee to farm out the Excise on spirituous Liquors in the County of *Bristol*. *Bristol.*

Sent up for Concurrence.

Voted, That *John Storer*, Esq; and Mr. *John Bradbury*, with such as the honourable Board shall join, be a Committee to farm out the Excise on spirituous Liquors in the County of *York*. *York.*

Sent up for Concurrence.

Voted, That Capt. *John Norton*, and Col. *Zacheus Mayhew*, with such as the honourable Board shall join, be a Committee to farm out the Excise upon spirituous Liquors in the County of *Dukes-County*. *Dukes County.*

Sent up for Concurrence.

Voted, That Capt. *Obed Hufsey* and Mr. *Jonathan Coffin*, with such as the honourable Board shall join, be a Committee to farm out the Excise upon spirituous Liquors in the County of *Nantuckett*. *Nantucket.*

Sent up for Concurrence.

Ordered,

Committee
for Instructi-
ons.

Ordered, That Col. *Otis*, Col. *Brattle*, and Judge *Russell*, be a Committee to prepare proper Instructions for the regular Proceeding of the Committees appointed for the several Counties to farm out the Excise upon spirituous Liquors.

Governor's
Adjourn-
ment of the
Court.

A Message from his Excellency the Governour by the Deputy Secretary, *viz.*

Mr. Speaker, His Excellency directs that this Great and General Court or Assembly be Adjourned to Thursday next ten o'Clock in the Forenoon.

And then the Deputy Secretary declared the said Court to be Adjourned to that Time accordingly.

JOVIS 26. Die Decembris, A. D. 1754.

Petition of
Robert Balls.

A Petition of *Robert Balls*, Keeper of the Light-House, praying he may be allowed for his Service in keeping said Light-House and Wooding the same, &c. for the Reasons mentioned.

Read and committed to Col. *Brattle*, Col. *Bradford*, and Mr. *Witt*, to consider and report thereon.

Bill brought
down.

Samuel Watts, Esq; brought down a Bill Intituled *An Act for the better securing the Growth & Increase of Wood*. Pass'd in Council, *viz.* In Council December 20th 1754. Read a first and second Time, and pass'd a Concurrence to be engross'd as taken into a new Draught.

Sent down for Concurrence.

Read and concur'd.

Report and
Vote relat-
ing to the
Cod Fishery.

The Committee appointed to take under Consideration the State of the Cod-Fishery, reported A Bill Intituled *An Act for the Encouragement of the Cod-Fishery*. Which was read a first Time.

The said Committee further reported, which was read and accepted, and thereupon

Voted, That *Samuel Welles*, *John Choate*, and *Robert Hale*, Esqrs; with such as the honourable Board shall join, be a Committee to write to Mr. Agent *Bollan*, instructing him to address his Majesty, that a suitable Number of His Majesty's Ships be directed to repair as early in the Year as possible to the Banks of *Newfoundland* and other Banks not ceded to the *French* by the Treaty of *Utretcht*, and cause such Vessels as shall be found fishing there, which belong to the Subjects of the French King, to leave the same, and prevent their taking Fish there: And further, That the Agent present an Address to his Majesty in Parliament humbly praying the Parliament will pass an Act restraining any fishing Vessels of the Burden of thirty Tons and upwards, reckoning Carpenter's Tonnage, going out of any Port of his Majesty's *American* Dominions on a Voyage for catching or taking Cod-Fish before the first Day of *April* yearly, such Act to continue for the Space of five Years.

Sent up for Concurrence.

The

The Commissary-General was admitted into the House, and laid on the Table an Estimate of the Province Charge to May 1755, and then withdrew.

Benjamin Lincoln, Esq; brought down the Vote of the 23d of December Currant, desiring his Excellency the Captain-General to reinforce Fort-Hallifax with forty Men &c. Pass'd in Council, viz. In Council December 24th 1754. Read and concur'd with the Amendment at A. Sent down for Concurrence.

Vote relating to Fort-Hallifax bro't down:

Read and concur'd with the further Amendment at B. Sent up for Concurrence.

A Message from his Excellency the Governour by Mr. Secretary, to both Houses, viz.

Gentlemen of the Council and House of Representatives,

YOU will observe by an Extract from the Letter I received from the Right Honourable Sir Thomas Robinson, one of His Majesty's Principal Secretaries of State, the Orders His Majesty has given me concerning Quartering the Soldiers to be raised for his Service and the Protection and Safety of his Subjects in these Parts.

Governor's Message relating to building Barracks at Castle William, &c.

I am sensible that the Inhabitants of this Province who are unaccustomed to have Soldiers Quartered upon them, will be averse to such a Proceeding even under the Regulation of an Act of Parliament; and therefore I have considered of a Method, which if you join with me therein will prevent that Inconvenience.

The Barracks at Castle-William when repaired will be sufficient to lodge upwards of 200 Soldiers, but being intended at first only for the Reception of the Soldiers in the Summer Season, and built and fitted accordingly, therefore there must be something further done to make them accommodable for Winter Quarters: I have got them surveyed and an Estimate made of the Cost of fitting them for this Use, which I now lay before you, and recommend it to you (Gentlemen of the House of Representatives) to make Provision for fitting up the said Barracks accordingly.

And I conceive the Benefit to the Province will be very considerable, not only in easing it of the Trouble of Quartering the Soldiers in the other Way before mentioned, but will also prevent the Disorders which Soldiers dispersed into Parts of the Province near Boston would probably commit, notwithstanding all the Care that can be used to restrain them: Besides, in Case of a Rupture with France in the Spring, these Soldiers will be a great Strengthening to the Garrison while they remain there, and will be a good Security against any Surprise from the Assaults of an Enemy, and save a Charge to the Province of paying and subsisting such extraordinary Recruits as our Prospects of Danger may require for the Defence of Castle-William.

As to my own Regiment, I am determined, that if they be put into this Situation, they shall be continually exercised (particularly in the Management of the great Guns) in order to fit them for actual Service: And considering the present Situation of Affairs in Europe, as well as in America, it will be found necessary to have the said Barracks soon repaired for the immediate Service of the Province.

Gentlemen of the House of Representatives,

For the Reasons above mentioned, I would recommend it to you to make suitable Provision for the fitting the said Barracks as above-mentioned.

Council Chamber Dec. 26. 1754.

W. SHIRLEY.

Read and *Ordered*, That his Excellency's foregoing Message be considered at four o'Clock Afternoon.

Treasurer's Accounts. *Harrison Gray*, Esq; Province Treasurer, was admitted into the House, and laid on the Table an Account of the Treasury ; and then withdrew.

Committee to prepare a Letter &c. *Ordered*, That Col. *Brattle*, Col. *Otis*, and Judge *Russell*, be a Committee to prepare the Draught of a Letter to Mr. Agent *Bolan*, respecting the Act granting an Excise upon spirituous Liquors, which pass'd the present Session.

Committee on Captives.

Post Meridiem.

Ordered, That Col. *Saltonstall*, Col. *Partridge*, and Capt. *Ruggles*, be a Committee to consider what Measures may be taken for the Redemption of the Captives belonging to this Province that are in *Canada*.

Petition of *Israel Ashley*.

A Petition of Capt. *Israel Ashley* of *Sheffield*, praying that certain Persons may be allowed Soldiers Pay, who voluntarily undertook the Defence of that Place in the Time of the late Alarm.

Read and committed to the Committee on the Petition of Brigadier *Dwight*, as entered the 24th Instant.

Petition of *Benj. Rolfe*.

A Petition of *Benjamin Rolfe*, Esq; in Behalf of himself and the other Proprietors of *Rumford*, praying for an additional Grant of Money, to enable their Agent to prosecute the Affairs of said Proprietors before his Majesty &c.

Read and committed to Col. *Saltonstall*, Capt. *Ruggles*, and Capt. *Richardson*, to consider and report thereon.

Report on Petition of *John Mansfield*.

The Committee appointed to take under Consideration the Petition of *John Mansfield*, reported.

Read and accepted, and *Ordered*, That the Petitioner be allowed and paid out of the publick Treasury the Sum of *three Pounds fifteen Shillings & four Pence*, to enable him to discharge the Account of his Doctor and Nursing, &c. Sent up for Concurrence.

State of the Treasury &c read.

The present State of the Treasury, as presented by the Province Treasurer, and the Estimate presented by the Commissary-General, were read : And *Ordered*, That the same be committed to the Committee appointed on the Governour's Message of the 23d Instant, and that the said Committee prepare a Bill for the Supply of the Treasury.

Petition of *Harrison Gray*, Esq;

A Petition of *Harrison Gray*, Esq; Province Treasurer, praying he may have an Allowance for his extraordinary Services, particularly respecting the Province Bills &c. for the Reasons mentioned.

Read and committed to Mr. *Welles*, Mr. *Quincy*, and Col. *Lawrence*, to consider and report thereon.

Petition of *Josiah Willard*, Esq;

A Petition of *Josiah Willard*, Esq; Secretary of the Province, praying that he may be allowed for his Clerk (who is also his Deputy Secretary) for the Reasons mentioned.

Read and committed to Mr. *Welles*, Mr. *Quincy*, and Col. *Lawrence*, to consider and report thereon.

A Petition of *Benjamin Bowden of Lynn*, in the County of *Essex*, praying that the Court of Sessions for said County, may be enabled to Licence him an Innholder, for the Reasons mentioned. Petition of *Benj. Bowden*.

Read and Ordered, That the Prayer of the Petition be so far granted, that the Justices of the Court of General Sessions of the Peace for the County of *Essex* at their next Term, be and hereby are enabled to Licence the Petitioner (if they see fit) an Innholder in said Town, he first obtaining the Approbation of the Select-Men of said Town, the Time for granting Licences being elapsed notwithstanding. Sent up for Concurrence.

An engross'd Bill Intituled *An Act for the better securing the Growth and Increase of Wood*. Vote on a Bill.

Read, and the Question was put, *Whether the Bill pass to be enacted*. It pass'd in the Negative.

The House, according to Order, took under Consideration his Excellency's Message of this Day, and after a Debate thereon. Committee on Gov. Message.

Ordered, That Mr. Speaker, Capt. *Marcy*, Col. *Brattle*, Mr. *Welles*, and Judge *Russell*, be a Committee to take the said Message under Consideration, and report what it may be proper for this House to do thereon.

Ordered, That Capt. *Dodge* have Liberty to bring in a Bill to preserve certain Parcels of Wood and Timber in the Township of *Ipswich* and *Wenham*. Liberty for a Bill.

John Chandler, Esq; brought down a proposed Plan of Union of the several Governments, as prepared and reported by a Committee of both Houses. Plan of Union bro't down.

Read and Ordered, That the same be considered to Morrow Morning eleven o'Clock.

Then the House adjourn'd 'till to Morrow Morning ten o'Clock.

Veneris 27. Die Decembris, A. D. 1754.

THE Committee appointed to consider of some proper Measures for the Redemption of the Persons belonging to this Government in Captivity at *Canada*, reported. Vote relating to the redemption of Captives.

Read and accepted, and thereupon the following Vote pass'd, viz.

In as much as sundry Persons belonging to this Province, some of whom were Soldiers, and taken from the Fort on Kennebeck-River, are now in Captivity at Canada: And as this Court have been informed, that there are also divers Persons in Captivity at Canada belonging to the Government of New-Hampshire: Therefore

Voted, That His Excellency the Captain-General be desired, as soon as may be, to write to the Governour of *New-Hampshire*, informing him, that this Court propose to employ Capt. *Phineas Stevens*, of Numb. *Four*, to go to *Canada*, to redeem the Captives belonging to this Government, provided the Government of *New-Hampshire* will also employ him, and pay a proportionable Part of the Expence of his Journey, according to the Number he shall recover from their Captivity for the respective Governments.

Sent up for Concurrence.

Voted,

Voted, That the Consideration of the Report of a General Union now before this House, be suspended until the Members have an Opportunity to consult their Constituents respecting the same.

Yeas and
Nays relat-
ing to the
Plan of
Union.

Yeas.

Robert Spur, Esq;
Samuel Miller, Esq;
Mr. Samuel Niles,
Capt. Thomas Pratt,
Mr. Jacob Cushing,
Mr. Simon Plymton,
Daniel Epes, Esq;
John Choate, Esq;
Mr. Benjamin Greenleaf,
Joseph Gerrish, Esq;
Capt. Benjamin Newhall,
Mr. Humphry Hobson,
Caleb Cushing, Esq;
Mr. Isaac Merrell,
Mr. Jonathan Foster,
Mr. Elijah Porter,
Capt. John Dodge,
William Brattle, Esq;
Mr. James Russell,
Mr. Edward Walker,
Ebenezer Nichols, Esq;
Henry Gibbs, Esq; Newton.
Capt. John Noyce,
Mr. Samuel Witt,
Capt. Enoch Kidder,
Joseph Haven, Esq;
Mr. Benjamin Hills,
Samuel Livermore, Esq;
John Sherman, Esq;
William Richardson, Esq;
Mr. John Haywood,
Duncan Campbell Esq;
Mr. Daniel Greenwood,
John Whitcomb, Esq;
Capt. Josiah Edson,
Mr. Israel Turner,
Capt. Nathanael Smith,
Mr. Jacob Porter,
Mr. Elisha Barrow,
Capt. Aaron Kinsley,
Capt. Nathanael Sole,
Mr. Benjamin Day,
Ephraim Leonard, Esq;
Mr. John Bradbury,
Nathanael Sparhawk, Esq;
Capt. Ichabod Goodwin,
John Storer, Esq;
Edward Milliken, Esq;

Nays.

Samuel Welles, Esq;
Mr. James Bowdoin,
Capt. Joseph Williams,
Mr. Josiah Quincy,
Mr. William Bowdoin,
Henry Gibbs, Esq; Salem.
Joseph Fry, Esq;
Robert Hale, Esq;
Richard Saltonstall, Esq;
Mr. William Stevens,
Mr. John Hunt,
Mr. Simon Hunt,
William Lawrence, Esq;
Mr. Elisha Jones,
Mr. Stephen Hall,
Chambers Russell, Esq;
Josiah Dwight, Esq;
Joseph Hawley, Esq;
Capt. Moses Marsh,
Oliver Partridge, Esq;
Capt. Israel Ashley,
William Ayres, Esq;
John Murray, Esq;
Timothy Ruggles, Esq;
Thomas Clap, Esq;
Gamaliel Bradford, Esq;
John Winslow, Esq;
Mr. William Sever,
James Otis, Esq;
Mr. John Winslow,
Jeremiah Powell, Esq;

A Bill Intituled *An Act to regulate the Choice of Representatives hereafter to be chosen as Members of the General Court.* Bill read.

Read a first Time, and Ordered, That the Bill have a second reading at three o'Clock Afternoon.

A Bill Intituled *An Act for the Encouragement of the Cod-Fishery.* Bill read.

Read a second Time, and Ordered, That the Bill be recommitted to make the proposed Amendment.

Post Meridiem.

John Greenleaf, Esq; brought down the Petition of *Ebenezer Pool*. Petition of
Pass'd in Council, viz. *Decemb. 26th 1754.* Read, together with *Eben. Pool,*
the Answer of *Peter Curtis*, and Ordered, That *George Leonard, Esq;* with such as the honourable House shall join, be a Committee to take this Petition into Consideration, hear the Parties, and report what they judge proper for the Court to do thereon as soon as may be. bro't down.

Sent down for Concurrence.

Read and concur'd, and *Col. Storer* and *Col. Leonard* are joined in the Affair.

The Committee appointed to take under Consideration the Petition of *Capt. Israel Ashley*, reported.

Report on
Petition
of *Isr. Ashley.*

Read and accepted, and Ordered, That the Prayer of the Petition be so far granted, that there be allowed for one Captain at the Rate of *two Pounds thirteen Shillings & four Pence* per Month, one Sergeant at *one Pounds fifteen Shillings and one Penny* per Month, and thirteen Centinels at *one Pound six Shillings and eight Pence* per Month.

Sent up for Concurrence.

Josiah Willard, Esq; brought down the Vote pass'd Yesterday respecting instructing the Agent with Respect to the Cod-Fishery. Vote relating to Cod-
Pass'd in Council, viz. In Council *December 26th 1754.* Read and Fishery,
concur'd with the Amendments, and *Thomas Hutchinson* and *Stephen bro't down.*
Sewall, Esqrs; are joined in the Affair.

Sent down for Concurrence. Read and concur'd.

The Committee appointed on the Petition of *Jonathan Kenney*, reported.

Report on
on Petition
of *Jonathan Kenney.*

Read and accepted, and Ordered, That the Sum of *thirteen Pounds six Shillings & eight Pence*, be paid out of the public Treasury to the Petitioner in full of his Account, including the Doctor's Bill for taking Care of *Benjamin Blackman*, mentioned in the Petition, it appearing the said *Blackman* was taken sick four Days before the Muster-Roll was made up. Sent up for Concurrence.

Ordered, That *Col. Otis* be added to the Committee on the Governour's Message of the 23d Instant, and the Supply of the Treasury. *Col. Otis*
added to a
Committee

On a Motion made and seconded, Ordered, That the Committee appointed on *Brigadier Dwight's* Petition for Billetting Soldiers, Committee
instructed.
allow him for Billetting *Capt. Ashley* and *Capt. Colton's* Men.

C c c

Ordered,

Committee
relating to
Agent *Bol-
lan's* former
Grants.

Ordered, That Mr. Speaker, Judge *Russell*, Col. *Brattle*, Col. *Otis*, and Col. *Saltonstall*, be a Committee to enquire what Moneys Mr. Agent *Bollan* has received for his Time and Expence in the Service of the Province; and also what he has charged for his Expences, with an Account of the Time he has been employed as Agent; and lay the same before this House as soon as may be, that they may be able to make some Judgment what will be an adequate Reward for him.

Order on the
former Treas-
urers Affairs

On a Motion made and seconded, *Ordered*, That the Affairs of the former Treasurer of this Province, which are yet unsettled, be taken under Consideration on Tuesday next four o'Clock Afternoon.

Report on
the Petitions
of *Samuel
Goodwin &c.*

The Committee appointed on the Petition of *Samuel Goodwin*, and others, Inhabitants of a Place called *Frankfort* on *Kenebeck-River*, reported.

Read and not accepted, and *Ordered*, That the further Consideration thereof be referred to the next May Session.

Report on
Petitions of
John Wright
and of *Jona-
than William-
son*.

The Committee appointed on the Petition of *John Wright* and others, as also on the Petition of *Jonathan Williamson*, and others, Inhabitants on *Kennebeck-River*, reported that the said Petitions be referred to the next May Session for further Consideration.

Read and accepted, and the said Petitions are referred accordingly.

Report on
Petition of
Brig. *Dwight*
&c.

The Committee to whom was referred the Consideration of the Petition of Brigadier *Dwight*, reported.

Read and accepted, and *Ordered*, That the Sum of *twenty one Pounds five Shillings and two Pence* be allowed and paid out of the public Treasury to the Petitioner for his Billetting Soldiers &c. as mentioned in his Account; as also the Sum of *one Pound fourteen Shillings & four Pence* to Mr. *Elijah Williams* of *Stockbridge*, for Billetting Soldiers &c. agreeable to his Account. Sent up for Concurrence.

Then the House adjourn'd till to Morrow Morning ten o'Clock.

Sabbati 28. Die Decembris, A. D. 1754.

Message
from the
Board.

Isaac Royall, Esq; came down from the honourable Board with a Message to desire the House would not suddenly Adjourn, as something of Importance was coming down.

Vote on the
Plan of U-
nion.

On a Motion made and seconded, that the Report of a Committee of both Houses of a general Plan of Union now lying before this House, should be printed: After a large Debate thereon, the Question was put, *Whether the said Plan shall be printed?*

It pass'd in the Negative.

Message to
the Board.

Ordered, That a Message be sent to the honourable Board to desire them not speedily to rise, as something of Importance will be sent up.

Whereas

Whereas divers of the Justices of the Court of General Sessions of the Peace and Inferiour Court of Common Pleas which by Law are to be holden at Salem for the County of Essex on the last Tuesday of December Instant, are Members of this Court; and the Important Affairs of the Province now depending require their Attendance: Adjournment of Salem Court. Wherefore,

Ordered, That the Courts afore-mentioned (that were to be held at the Time aforesaid) be Adjourned to Tuesday the twenty first of *January* next, to be held at the Court House in said Town of *Salem*, at ten of the Clock in the Forenoon of said Day: And all Pleas, Writs, Actions, Suits, Plaints, Processes, Precepts, Recognizances, and other Thing or Things whatsoever returnable or having Day or Days in the said Courts, shall stand abide and continue unto the said Adjournment, and be held deemed and adjudged to be as good effectual and available in Law to all Intents Constructions and Purposes, as if such Courts had been held and kept on the Day by Law for holding the same, and no Adjournment thereof had been made.

Sent up for Concurrence.

John Hill, Esq; brought down the following Vote pass'd in Council, Committee on a Letter to Agent Bollen, &c.
viz. In Council December 28th 1754.

Ordered, That *Ezekiel Cheever, Joseph Pyncheon, and Stephen Sewall, Esqrs;* with such the honourable House shall join, be a Committee to prepare an Answer to Mr. Agent *Bollan's* Letter of the 19th of *Sept.* last, and particularly to direct him to use his utmost Endeavours to prevent the Union of the Colonies upon the Plan proposed by the Commissioners at *Albany*, it having been disapproved by both Houses.

Sent down for Concurrence.

Read and concur'd with the Amendment at A. and Col. *Choate, Col. Brattle, Capt. Livermore, and Col. Otis,* are joined in the Affair.

Ordered, That the Committees appointed by this Court to farm out the Excise on spirituous Liquors for the several Counties, that are now at Court, meet and agree upon suitable Times for farming the same in the several Counties. Order relating to Committees for Excise.

Sent up for Concurrence.

The Committee appointed to prepare Instructions for the regular Proceeding of the several Committees, who are appointed to farm out the Excise, reported. Instructions relating to the farming the Excise.

Read and accepted, and thereupon, *Voted,* That the Committees appointed to farm out the Excise on spirituous Liquors in the several Counties, advertise the same in the public Prints one Month at least before the Sale, and also in such Parts of their respective Counties as they judge likely the Prints will not reach, and wherever the Committees suspect a Combination as to the Purchase of the Excise, that they be and hereby are impowered to contract and agree for the same, otherwise than by public Vendue.

Sent up for Concurrence.

The Committee appointed on the Petition of *Harrison Gray, Esq;* reported.

Read and accepted, and *Ordered,* That there be allowed to the Petitioner the Sum of *fifty Pounds* out of the public Treasury, in full Report on Treasurer Gray's Petition.

full for his extraordinary Care and Trouble, and Expences in hiring a Clerk for the receiving in and exchanging the Bills of Credit of this Government. Sent up for Concurrence.

Report on
Petition of
Benj. Rolfe,
Esq;

The Committee to whom was referred the Consideration of the Petition of *Benjamin Rolfe*, Esq; as entered the 26th Curreant, reported.

Read and accepted. and Ordered, That the Sum of *One Hundred and fifty Pounds* Sterling, be paid out of the public Treasury to the Petitioner for the Use of the Reverend Mr. *Walker* now in *England*, prosecuting the Appeal referred to in the Petition, as Agent for the Appellant, to be laid out for the Purposes mentioned in said Petition.

Sent up for Concurrence.

Committee
to prepare
a Letter &c.
to Agent
Bollan direct-
ed.

Ordered, That the Committee appointed to prepare a Letter to be sent to Mr. Agent *Bollan*, therein direct him in the Name of this Government, earnestly to press the giving of Judgment in the Appeal depending before his Majesty in Council, relating to the Property of Lands.

Sent up for Concurrence.

Col. *Brad-*
ford on a
Committee.

Ordered, That Col. *Bradford* be of the Committee on his Excellency's Message respecting the Repairs of the Barracks at *Castle-William*, in the Room of Col. *Brattle*, who desires to be excused.

ding] Petition of
Mr. *Thomas*
Gilbert.

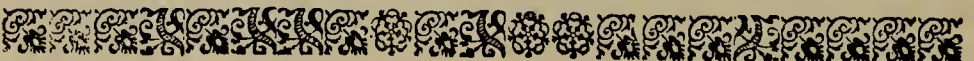
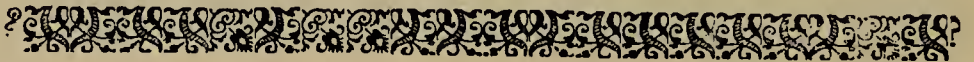
A Petition of Mr. *Thomas Gilbert*, Agent for the first Parish in *Brookfield*, praying that this Court would direct how the Reverend Mr. *Harden*'s Salary for the present Year, ending *February* next, shall be assessed and collected, &c. for the Reasons mentioned.

Read and committed to Major *Hawley*, Capt. *Marcy*, and Col. *Clap*, to consider and report thereon.

Printer di-
rected.

Ordered, That Mr. *Kneeland*, Printer to this House, be directed forthwith to print the Act passed this Sitting, granting an Excise to his Majesty on spirituous Liquors &c.

Then the House adjourn'd 'till Monday next three o'Clock Afternoon.





VOTES

Of the House of Representatives.



Lunæ 30. Die Decembris, A. D. 1754.

***** Petition of *Andrew Hall* of *Boston*, praying that this Court would take back a certain Tract of Land he bought of a Committee of the Government, or allow him one Year more to pay the Purchase Money, for the Reasons mentioned. Petition of *Andrew Hall*.

Read and committed to Col. *Leonard*, Capt. *Livermore*, and Col. *Dwight*, to consider and report thereon.

The Committee appointed to prepare a Letter to Mr. Agent *Bollan*, respecting the Excise on spirituous Liquors, reported a Letter. Which was read, and *Ordered*, That it be recommitted, to make the proposed Amendments. Letter to Agent *Bollan* reported.

The Committee appointed to prepare a Bill for the Supply of the Treasury, reported a Bill Intituled *An Act for granting to His Majesty several Duties upon Vellum, Parchment and Paper for four Years towards defraying the Charges of this Government*. Supply Bill reported.

Read a first Time, and *Ordered*, That the Bill have a second Reading to Morrow at eleven o'Clock.

Ordered, That his Excellency's Message respecting an Allowance to Major General *Winslow*, be considered Wednesday next ten o'Clock. Vote on Governor's Message.

On a Motion made and seconded, *Ordered*, That the Allowances to the Civil Officers be taken under Consideration Wednesday next three o'Clock Afternoon. Vote for Allowances to Civil Officers.

Then the House adjourn'd till to Morrow Morning ten o'Clock.

Martis 31. Die Decembris, A. D. 1754.

A Petition of *Ebenezer Bridgman* and others, Inhabitants of a Place called *Cold-Spring*, in the County of *Hampshire*, praying that a Tax may be laid upon all the Lands within the Bounds of said Plantation, for the Reasons mentioned. Petition of *Eben. Bridgman*, &c.

D d d

Read

Read and *Ordered*, That the Petitioners serve the Proprietors of the Lands in said *Cold-Spring* with said Petition, by inserting the Substance thereof in one of the publick Prints three Weeks successively, that they shew Cause (if any they have), on the second Wednesday of the next Sitting of the Court, why the Prayer thereof should not be granted. Sent up for Concurrence.

Committee for transporting Stores. *Ordered*, That Mr. *Turner* be added to the Committee appointed the 21st Instant, to agree with Capt. *Sanders*, or some other Person to transport Stores to the Eastward, &c.

Bill enacted. An engross'd Bill Intituled *An Act in Addition to an Act granting unto His Majesty an Excise upon sundry Articles hereafter enumerated, for and towards the Support of his Majesty's Government of this Province*. Read and *Resolved*, That the Bill pass to be enacted.

Bill read & referr'd. A Bill Intituled *An Act for granting unto His Majesty several Duties upon Vellum Parchment and Paper for four Years towards defraying the Chrrges of this Government*.

[barges]

Read a second Time, and after a large Debate had thereon, the further Consideration was referred to the Afternoon.

Post Meridiem.

Letter to Agent *Bollan* bro't down. *John Hill*, Esq; brought down the Draft of a Letter prepared by a Committee of both Houses, to Mr. Agent *Bollan*. Pass'd in Council, viz. In Council *December* 31st 1754. The foregoing Letter to Mr. Agent *Bollan*, was read and accepted, and *Ordered*, That the Secretary sign it in the Name of the Council.

[Concurrence]

Sent down for Concurrence. Read and concur'd.

And *Ordered*, That the Speaker sign it in the Name of the House of Representatives.

Bill referred The House re-assumed the Consideration of the Bill Intituled *An Act for granting unto his Majesty several Duties upon Vellum Parchment and Paper &c.* And after a further Debate the Consideration thereof was referred 'till to Morrow Morning.

Then the House adjourn'd 'till to Morrow Morning ten o'Clock.

Mercurii 1. Die Januarii A. D. 1755.

Order on the Letter to Agent *Bollan*. **O**N a Motion made and seconded, that an Alteration should be made in the Letter agreed by both Houses to be sent to Mr. Agent *Bollan*; the Question was put, *Whether an Alteration should be made?* Resolved in the Affirmative.

And *Ordered*, That a Message be sent up to the honourable Board, to propose their Concurrence therein; and that the Letter already sealed to Mr. *Bollan*, not to be taken out of the Letter Bag, until the Letter with the proposed Alteration be prepared to place in the Room thereof.

Sylvanus

Sylvanus Bourn, Esq; came down from the honourable Board and informed that they agreed to the proposed Alteration in said Letter.

Message to
the Board

Then the House, according to Order, re-assumed the Consideration of the Bill Intituled *An Act for granting unto his Majesty several Duties upon Vellum Parchment and Paper &c.* And a large Debate was had thereon.

Post Meridiem.

The Committee appointed on the Petition of the Select-Men of the Town of *Rehobeth*, as entred the 17th of *December* last, reported.

Report on
Petition of
Select-Men
of *Rehobeth*.

Read and accepted, and thereupon *Voted*, That the Prayer of the Petition be so far granted, as that the Proceedings of the Select-Men of said Town in giving the Warrant to *Ephraim Hunt*, Jun. to collect the then remaining Part of the Ministerial Tax for the Year 1751, be and hereby are confirmed and established, and shall be good and valid to all Intents or Purposes in the Law; and the said *Ephraim* is fully authorized and impowered to collect the remaining Part of the ministerial Tax aforesaid, as fully as if he had been chosen Collector in *March* last, and to Account in the same Manner as other Collectors by Law are obliged to do.

Sent up for Concurrence.

A Petition of *Henry Woods* of *Groton*, a Soldier in the late Expedition up *Kennebeck-River*, who was there taken Sick, and is now so in the Town of *Boston*, praying the compassionate Consideration of this Court &c.

Petitton of
Henry Woods.

Read and committed to *Col. Lawrence*, *Mr. Stevens*, and *Col. Storer*, to consider and report thereon.

Samuel Watts, Esq; came down with a Message from the honourable Board, to inquire whether the House have passed on the Report of the Committee of both Houses respecting a Union of the Provinces.

Message
from the
Board.

To whom the Speaker was pleased to say, that the House had not passed thereon.

The House again took under Consideration the Bill Intituled *An Act for granting unto his Majesty several Duties upon Vellum &c.* and made sundry Amendments and Alterations.

Bill read &
Question
thereon.

Then the Question was put, *Whether the Bill shall have a third Reading to Morrow eleven o'Clock?* It pass'd in the Negative.

The Committee appointed to take under Consideration his Excellency's Message of the 26th of *December* last, who also were directed to repair to the Castle to view the Barracks there &c, reported

Report on
Governor's
Message.

Read and accepted, and *Voted*, That the Sum of *One Hundred Pounds* be put into the Hands of the Committee upon the Repairs of the Castle, in order to effect the Repairs of the South Barrack, the Barge-House on the South Point; as also the House for the Officers; who are directed to lay it out in doing what at present is of greatest Necessity; and said Committee are specially directed not to exceed said Sum.

Sent up for Concurrence.

The

Grant to the
Secretary.

The Committee appointed on the Petition of *Josiah Willard*, Esq; as entred the 26th of *December* last, reported.

Read and accepted, and *Ordered*, That there be allowed and paid out of the publick Treasury to the Petitioner *Josiah Willard*, Esq; the Sum of *sixty five Pounds* per Annum for two Years past, ending the 30th of *May* last, in Consideration of his having been obliged to hire a Clerk during said Time. Sent up for Concurrence.

Report on
Petition of
Thos. Gilbert.

The Committee appointed to consider the Petition of *Thomas Gilbert*, Agent for the first Parish in *Brookfield*, reported.

rding]

Read and not accepted, and *Ordered*, That the Petitioner serve the Reverend Mr. *Harden*, as also Mr. *Elisha Rice*, a principal Inhabitant of the third Parish in *Brookfield* with a Copy of said Petition, that said Mr. *Harden*, and said third Parish shew Cause (if any they have) on the second Thursday of the next Sitting of the Court, why the Prayer thereof should not be granted.

Sent up for Concurrence.

Then the House adjourn'd 'till to Morrow Morning ten o'Clock.

Jovis 2. Die Januarii A. D. 1755.

Bill bro't
down.

A *Andrew Oliver*, Esq; brought down a Bill Intituled *An Act for the better securing and rendring more effectual Grants and Donations to pious and charitable Uses, and for the better Support and Maintenance of Ministers of the Gospel, and defreying other Charges relating to the publick Worship*. In Council *December* 20th 1754. Read a first and second Time, and pass'd a Concurrence with the Amendments as taken into a new Draught. Sent down for Concurrence.

Read and concur'd.

Report on
Petition of
Boston Af-
sessors.

John Greenleaf, Esq; brought down the Petition of the Assessors of the Town of *Boston*, with a Report of a Committee of both Houses.

Signed *Samuel Danforth*, per Order.

Pass'd in Council, viz. In Council *December* 28th 1754. Read and accepted, and *Ordered*, That the several Parties mentioned be and hereby are required to conform themselves accordingly.

Sent down for Concurrence. Read and concur'd.

Commissary
General di-
rected.

On a Motion made and seconded, *Ordered*, That the Commissary-General be directed, as soon as may be, to send by Capt. *Sanders*, the Stores he has provided for *Fort-Hallifax* on *Kennebeck-River*, and the other Garrisons in the Eastern Parts of the Province.

Bill read.

On a Motion made and seconded, *Ordered*, That the Bill Intituled *An Act for granting to his Majesty several Duties upon Vellum Parchment and Paper for four Years towards defreying the Charges of this Government*, should now have a third Reading.

Which accordingly was read a third Time, and pass'd to be engross'd.

Sent up for Concurrence by Capt. *Williams*, Capt. *Livermore*, Col. *Choate*, Mr. *Gibbs* of *Salem*, and Mr. *John Hunt*.

A Bill Intituled *An Act for supplying the Treasury with the Sum of* Bill read.
Twenty three Thousand Pounds, &c. Read a first Time.

And Ordered, That the Bill have a second Reading three o'Clock
Afternoon.

Ordered, That Capt. *Ruggles*, Capt. *Marcy*, and Col. *Choate*, be a Committee on Gov.
Committee to consider his Excellency's Message of the 21st of No- Message.
vember last, and report what it may be proper for the House to do
thereon.

A Bill Intituled *An Act further to regulate the Choice of Represen-* Bill read.
tatives hereafter to be chosen as Members of the General Court.

Read a second Time, and Ordered, That the Bill have a third
Reading five o'Clock Afternoon.

Post Meridiem.

A Petition of *Benjamin Foster* of *Reading*, an Officer in the late Expedition Eastward, who was taken Sick in the Service, and con- Petition of
tinued so until his return Home ; praying an Allowance for his *Benj. Foster*.
Nursing and Doctors Bills, &c.

Read and committed to Capt. *Nichols*, Capt. *Dodge*, and Capt.
Day, to consider and report thereon.

A Petition of Capt. *Phineas Osgood*, praying he may be allowed the Sum of *four Pounds fourteen Shillings*, the Bounty Money he Petition of
paid to six Soldiers who deserted from the Castle &c. for the Rea- Capt. *Phineas*
sons mentioned. *Osgood*.

Read and committed to Capt. *Nichols*, Capt. *Dodge*, and Capt.
Day, to consider and report thereon.

A Petition of *Ebenezer Marrow* of *Medford*, a Soldier in the late Expedition, praying he may be allowed for a Gun that was split, &c. Petition of
for the Reasons mentioned. *Ebenezer*
Marrow.

Read and Ordered, That the Petition be dismiss'd.

A Petition of *Amos Parling* of *Carlisle*, a Soldier in the late Ex- Petition of
pedition, praying he may be allowed the Sums he engaged for Nur- *Amos Parling*.
ses &c. while sick, for the Reasons mentioned.

Read and committed to Capt. *Nichols*, Capt. *Dodge*, and Capt. *Day*,
to consider and report thereon.

A Petition of *Joseph Jones* of *Easton*, a Soldier in the late Expedition, Petition of
praying he may be allowed the Sums he engaged for Nursing &c. *Joseph Jones*.
while he was sick, for the Reasons mentioned.

Read and committed to Capt. *Nichols*, Capt. *Dodge*, and Capt.
Day, to consider and report thereon.

On a Motion made and seconded, Ordered, That Mr. *Quincy* Order for a
have Liberty to bring in a Bill to lay a Duty upon wrought Plate. Bill.

Ordered, That Mr. *James Bowdoin* and Major *Williams*, be of the Committee
Committee on the Merchants and Rope-makers Petitions, in the on Mer-
Room of Mr. *Quincy* and Col. *Partridge*. chants and
Ropemakers
Petitions.

A Bill Intituled *An Act further to regulate the Choice of Represen-*
tatives hereafter to be chosen as Members of the General Court.

Read a third Time and pass'd to be engross'd. Bill read.

Sent up for Concurrence.

Petition of *Thomas Gill*. A Petition of *Thomas Gill* of *Hingham*, now in his Majesty's Goal in the Town of *Boston*, representing that by Mistake Judgment hath been rendred and Execution issued against him, altho' no original Process was served upon him, praying Relief, for the Reasons mentioned.

Read and Voted, That the Prayer of the Petition be granted, and that the Petitioner be discharged from the Commitment by Force of said Execution, and that the same as far as it relates to said *Gill* be vacated, provided nevertheless the said Execution shall remain in the same Force against the other Persons therein mentioned, as if the said *Gill's* Name had not been therein mentioned, and that the Sheriff be directed to discharge said *Gill* accordingly.

Sent up for Concurrence.

Bill read. A Bill Intituled *An Act declaring in what Manner the Decrees and Orders of the Governour and Council in Controversies concerning Marriage and Divorce shall be carried into Execution.*

Read a second and third Time and pass'd to be engross'd.

Sent up for Concurrence.

Bill read. A Bill Intituled *An Act for supplying the Treasury with the Sum of Twenty three Thousand Pounds for discharging the publick Debts.*

Read a second and third Time, and pass'd to be engross'd.

Sent up for Concurrence by Col. *Richards*, Mr. *Stevens*, Major *Reed*, Col. *Storer*, and Mr. *Merrell*.

Committee on Petition of *John Farrar*. The Committee appointed on the Petition of *John Farrar* of Concord, reported.

Read and accepted, and Ordered, That *William Brattle*, and *William Lawrence*, Esqrs; with such as the honourable Board shall join, be a Committee to agree with the Plaintiff mentioned in the Petition, so as to quiet *Benj. Brooks* within mentioned, his Heirs and Assigns, in the Possession of the demanded Premises upon reasonable Terms, and in Case of failure therein, that the said Committee be and hereby are impowered to employ some meet Person, at the Charge of the Province, to defend said Action to final Judgment.

Sent up for Concurrence.

Petition of Rev. *Jon. Edwards*. A Petition of the Reverend Mr. *Jonathan Edwards* of *Stockbridge*, praying an Allowance for Billetting Soldiers &c. in the Time of the Alarm there.

Read and committed to Capt. *Livermore*, Mr. *Gibbs* of *Newton*, and Mr. *Merrell*, to consider and report thereon.

Petition of *Lettice Wire*, bro't down. *John Greenleaf*, Esq; brought down the Petition of *Lettice Wire*. Pass'd in Council, viz. In Council Dec. 12th 1754. Read and sent down. Read and Ordered, That the Petition be dismissed.

Secretary directed to attend the House. Ordered, That the Secretary, or his Deputy, be directed to attend the House.

The Deputy Secretary accordingly appeared in the House: When Mr. Speaker inquired of him, whether the Bill Intituled *An Act to dissolve the Marriage of Mary Clapham with William Clapham, to allow her to marry again, and make Provision for her out of his Estate*

in Lieu of Alimony; which passed both Houses this Session, had been laid before his Excellency the Governour for his Consent?

Who informed the House, that said Bill had been laid before his Excellency the Governour, and that he was not pleased to give his Consent thereto.

Then the House adjourn'd till to Morrow Morning ten o'Clock.

Veneris 3. Die Januarii A. D. 1755.

A Petition of *Joseph Lord, Esq;* and other Inhabitants of *Pequoig*, praying that two Forts may be built in said Township, at the Charge of the Province, and Protection granted them, for the Reasons mentioned. Petition of *Joseph Lord, Esq;*

Read and committed to Capt. *Ruggles*, Capt. *Richardson*, and Col. *Clap*, to consider and report thereon.

Mr. Secretary brought down a Letter from Capt. *Timothy Woodbridge*, to his Excellency the Governour dated *Stockbridge December 10th 1754.* which was read. Letter from Capt. *Tim. Woodbridge.*

The House, according to Order, took under Consideration, the Allowances, to be made to Mr. Agent *Bollan*, and after a Debate thereon, Grants made to Agent *Bollan.*

Ordered, That the Sum of *sixty Pounds Sterling*, be allowed and paid out of the public Treasury to Mr. Agent *Bollan*; it appearing that that Sum was omitted in his Account exhibited in the Year 1749. Sent up for Concurrence.

Ordered, That the Sum of *eighty Pounds Sterling* be allowed and paid out of the public Treasury to Mr. Agent *Bollan*, in Consideration of so much paid by him for extraordinary Expences while he was soliciting the Parliamentary Grant for this Province.

Sent up for Concurrence.

Ordered, That there be allowed and paid out of the public Treasury to Mr. Agent *Bollan* the Interest of the *fifteen Hundred Pounds Sterling*, which was granted to him by this Court the 24th of *January 1752*; from the said 24th of *January* to this Time, it appearing that he hath not as yet received said Grant; said Interest amounting to the Sum of *One Hundred and seventy six Pounds five Shillings Sterling.*

Sent up for Concurrence.

Ordered, That the Sum of *fifteen Hundred Pounds Sterling*, be granted and paid out of the public Treasury to Mr. Agent *Bollan*, in full for his Services as Agent for this Province at the Court of *Great Britain* for the last five Years. Sent up for Concurrence.

Ordered, That the Sum of *One Thousand Pounds Sterling*, be allowed and paid out of the public Treasury to Mr. Agent *Bollan*, to enable him further to solicit the Affairs of this Province at the Court of *Great Britain*; and that the Treasurer be directed to transmit the same to him as soon as may be. Sent up for Concurrence.

The

Committee
on Petition
of *Andrew
Hall*.

The Committee appointed on the Petition of *Andrew Hall*, as enter'd the 30th of *December* last, reported.

Read and accepted, and *Ordered*, That the Prayer of the Petition be granted, and that upon the Petitioner's delivering the Deed of the Land mentioned in the Petition, (which it appears has not been Recorded) to the Province Treasurer, and all Charges that have arisen by Reason of the Bond mentioned in the Petition being put in Suit ; that then the Province Treasurer be directed to discharge the Execution mentioned in the Petition.

Sent up for Concurrence.

Committee
to borrow
Money.

Ordered, That Judge *Russell*, Col. *Choate*, Mr. *James Bowdoin*, Col. *Hale*, and Col. *Otis*, be a Committee to consider what Methods may be proper to be taken in order for this Province to borrow Money in *Great-Britain*, for the Supply of the Treasury, and report as soon as may be.

Bill read.

A Bill Intituled *An Act for securing the Growth and Increase of a certain Parcel of Wood and Timber, in the Townships of Ipswich and Wenham, in the County of Essex.*

Read a first Time, and *Ordered*, That the Bill have a second Reading to Morrow at ten o'Clock.

Committee
for a Letter
to Agent

Ordered, That Judge *Russell*, Col. *Choate*, and Col. *Brattle*, with such as the honourable Board shall join, be a Committee to prepare a Letter to Mr. Agent *Bollan*, directing him to use his utmost Endeavour that the Act granting an Excise on spirituous Liquors, and also several other Acts passed this Session, be not disallowed by his Majesty

Sent up for Concurrence.

Then the House adjourn'd 'till to Morrow Morning ten o'Clock.

Sabbati 4. Die Januarii, A. D. 1755.

Bill read.

A Bill Intituled *An Act for the securing the Growth and Increase of certain Wood and Timber, in the Townships of Ipswich and Wenham, in the County of Essex.*

Read a second and third Time and pass'd to be engross'd.

Sent up for Concurrence.

Committee
for a Letter
to Agent *Bol-
lan* directed.

Ordered, That the Committee appointed Yesterday, to prepare a Letter to be sent the Agent, respecting the Excise Bill, &c. prepare and forward such Papers as Mr. *Bollan* has wrote for, which have not been sent him : and also particularly instruct him to renew his Solicitations for the Reimbursement of the Charges this Government have been at in supporting *Fort-Dummer*, and other Places in the Government of *New-Hampshire*, during the War ; and also for the Charges this Government was at in the late intended *Canada Expedition*.

Sent up for Concurrence.

Report on
Gov. Message

The House according to Order took under Consideration his Excellency's Message of Yesterday, and after a Debate had thereon,

Ordered,

Ordered, That Col. *Brattle*, Mr. *Allen*, Col. *Choate*, Mr. *Welles*, and Mr. *James Bowdoin*, be a Committee to prepare a proper Answer to said Message.

John Otis, Esq; brought down a Bill Intituled *An Act for the securing the Growth and Increase of Wood and Timber, &c.* Pafs'd in Council, viz. In Council *January 4th 1755.* Read a first and second Time and pafs'd a Concurrence with the Amendment.

Sent down for Concurrence. Read and concur'd.

Ordered, That Mr. *James Bowdoin* go up to the honourable Board, and inquire whether they have passed on the Bill Intituled *An Act in Addition to an Act for the regulating the Choice of Representatives*; and also whether they had pafs'd on the Vote of the House appointing a Committee to pitch upon some Place in the Town of *Watertown* for erecting a Court-House &c. Bill read.
Message to the Board.

Who returned that he was informed that said Bill was committed to a Committee; and that the Board had non-concur'd the Vote respecting a Court-House.

The Committee appointed on the Petition of *Benjamin Foster*, as entred the 2d Instant, reported. Committee on Petition of *Benj. Foster*.

Read and accepted, and Ordered, That the Prayer of the Petition be so far granted, that there be allowed and paid out of the public Treasury the Sum of *two Pounds thirteen Shillings & four Pence* to the Petitioner, to enable him to pay his Nursing, Doctor &c.

Sent up for Concurrence.

James Minot, Esq; brought down the Draught of a Letter respecting the Cod-Fishery, prepared by a Committee of both Houses to be sent to Mr. Agent *Bollan*. Pafs'd in Council, viz. In Council *Jan. 3d 1755.* Read and accepted, and Ordered, That the Secretary sign the same in Behalf of the two Houses. Letter to Agent *Bollan* brought down.

Sent down for Concurrence.

Read and concur'd with the Amendment at A.

Sent up for Concurrence.

The Committee appointed on his Excellency's Message of the 21st of *November* last, made a verbal Report. Committee on his Excellency's Message.

Ordered, That the Consideration thereof be referred to Tuesday next three o'Clock Afternoon.

Ordered, That a Message go up to the honourable Board desiring that the Muster-Roll containing the Wages of the General Officers employed in the late Expedition up *Kennebeck-River*, may be sent down. Which was brought down accordingly. Message to the Board.

Ordered, That the several Accounts of the Charges of the late Expedition up *Kennebeck-River*, and at the Treaty at *Falmouth*, which have been paid, be laid before the House on Tuesday next at three o'Clock Afternoon. Order relating to Charge up *Kennebeck-River*.

Bill read.

An engros'd Bill Intituled *An Act for the better securing and rendering more effectual Grants and Donations to pious and charitable Uses, and for the better Support and Maintenance of Ministers of the Gospel, and defreying other Charges relating to the publick Worship.*

Read and Resolved, That the Bill pass to be enacted.

Report on
Petition of
Robert Balls.

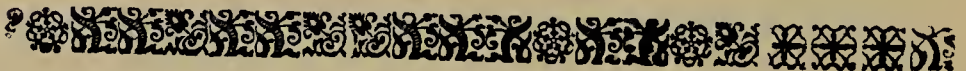
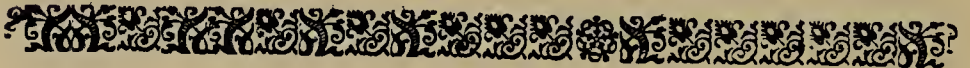
The Committee appointed on the Petition of Capt. *Robert Balls*, Keeper of the Light-House, as entred the 26th of *Dec.* last, reported.

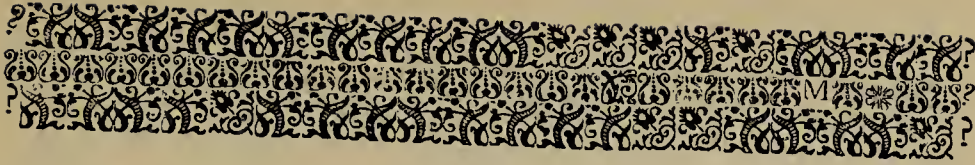
Read and accepted, and Ordered, That the Sum of *fourteen Pounds eight Shillings*, and the further Sum of *fifty Pounds*, be allowed and paid out of the public Treasury to the Petitioner in full for the Cord Wood expended for the Benefit of the Lights, and his Year's Service, as Keeper of the Light-House, ending the 19th of *November* last.

Sent up for Concurrence.

Ordered, That the Members of the House be enjoined punctually to attend their Duty in the House Monday next three o'Clock Afternoon.

Then the House adjourn'd 'till Monday next, three o'Clock Afternoon.





VOTES

Of the House of Representatives.



Lunæ 6. Die Januarii A. D. 1755.

Amuel Watts, Esq; brought down a Vote of this House Committee
 pass'd the 4th Instant, appointing a Committee to pre- for writing
 pare a Letter to be sent to the Agent, &c. Pass'd in to the Agent
 Council, viz. In Council January 4th 1755. Read
 and concur'd, and John Cushing and Thomas Hutchinson,
 Esqrs; are added to the Committee. Sent down for Concurrence.
 Read and non-concur'd, and the House adhere to their own Vote.
 Sent up for Concurrence.

Benjamin Lincoln, Esq; brought down the Petition of John Farrar. Petition of
 Pass'd in Council, viz. In Council January 3d 1755. Read and John Farrar
 concur'd with the Amendment, and John Cushing, Esq; is joined in bro't down.
 the Affair. Sent down for Concurrence.
 Read and concur'd.

A Petition of Cornelius Cavenough, representing he was born in
 Ireland, and has been a Soldier in the Governour's Regiment, and Petition of
 that he and his Family are Inhabitants of no particular Town, and Cornelius
 are in Distress, praying the Compassion of this Government. Cavenough.

Read and committed to Capt. Livermore, Major Hawley, and
 Capt. Day, to consider and report thereon.

The Committee appointed on the Petition of Joseph Jones, as en- Committee
 tred the 2d Instant, reported. on Petition
 of Jos. Jones.

Read and Ordered, That there be allowed and paid out of the
 public Treasury to the Petitioner Joseph Jones, the Sum of three Pounds
 three Shillings and six Pence, to enable him to pay his Doctors and
 Nurses, as mentioned in the Petition.

Sent up for Concurrence.

John Greenleaf, Esq; brought down the Report of a Committee
 of both Houses appointed to take under Consideration a Letter Report on
 from Lady Warren, advising that she had wrote to her Agent, to Lady War-
 pay to the Order of this Government seven Hundred Pounds Ster- ren's Letter
 ling, with Interest from the 25th of March 1751. bro't down.

Signed Andrew Oliver, per Order.
 Which

Which Report is as follows, *viz.* That the Treasurer be directed to receive the said Money, and give a proper Discharge for the same, and that the Interest thereof be annually applied towards the Education of Indian Children, agreeable to the Intention of her late Husband Sir *Peter Warren*, deceased; and that the Secretary be directed to write to Lady *Warren*, and return the Thanks of this Court to her Ladyship for the Readiness she has shewn to have this good Design carried into Execution. Pass'd in Council, *viz.* In Council *December 19th 1754.* Read and Ordered, That this Report be accepted. Sent down for Concurrence.

Read and concur'd.

Message to
the Board.

Ordered, That Capt. *Livermore* go up to the honourable Board, and inquire whether they have passed the Bill for the Sale of the Lands belonging to the Province in the County of *Plymouth*.

Who returned that he was informed that the Council had not passed upon it, and that it was mislaid.

Ordered, That the Secretary be directed to attend the House.

Who accordingly attended, and Mr. Speaker was pleased to ask him, Whether the Bill for erecting the Westerly Part of *Oxford* into a Town was passed the honourable Board, and signed by his Excellency the Governour?

Secretary
directed to
attend the
House.

Mr. Secretary informed the House that the Council had passed said Bill, and that it had been laid before the Governour, and he had not signed it.

A Bill Intituled *An Act for setting off the Inhabitants as also the Estates of the Westerly Part of Oxford into a seperate District by the Name of* Read a first Time.

Petition of
Tho. Cooper,
&c.

A Petition of *Thomas Cooper* and *Francis Veer*, Soldiers in the late Expedition up *Kennebeck-River*, praying they may be allowed for their Cloathing lost by the oversetting of a Battoe, for the Reasons mentioned.

Read and committed to Capt. *Williams*, Capt. *Ashley*, and Mr. *Gibbs* of *Newton*, to consider and report thereon.

Mr. Secretary brought down a Message from his Excellency the Governour; which he read and laid on the Table.

Ordered, That the Consideration of his Excellency's Message be referred 'till the Committee appointed on his Excellency's Message of the 23d of *December* last report; and that Mr. *Allen* who is one of said Committee, be excused from attending the same.

Committee
on Gov.
Message of
Dec. 23d.

Ordered, That Mr. *James Russell*, Col. *Dwight*, and Mr. *Gibbs* of *Salem*, be of the Committee upon his Excellency's Message of the 23d of *December* last.

Message to
Board.

Ordered, That a Message be sent to the honourable Board, to desire they would rise, that the Committee might sit.

Committee
to wait on
his Excel-
lency.

Ordered, That Mr. *Welles*, Col. *Winslow*, Col. *Brattle*, Major *Hawley*, and Col. *Miller*, be a Committee to wait on his Excellency the Captain-General, and enquire of him whether there is a Supply of Powder, and other War-like Stores in the Province Arsinall, and whether the several Towns are supply'd with Ammunition according to Law.

John

John Otis, Esq; brought down the Vote appointing a Committee to prepare a Letter to be sent to Mr. Agent *Bollan*. Pass'd in Council, viz. In Council *January* 6th 1755. Read and concurr'd with the Amendment, That *John Cushing*, and *Thomas Hutchinson*, Esqrs; be of the Committee in the Room of *Samuel Danforth*, and *Sylvanus Bourne*, Esqrs; who are absent.

Vote of Council bro't down.

Sent down for Concurrence. Read and concurr'd.

And that Mr. *Livermore*, be of the Committee in the Room of Judge *Russell*, who is absent. Sent up for Concurrence.

Then the House adjourn'd 'till to Morrow Morning ten o'Clock.

Artis 7. Die Januarii, A. D. 1755.

ON a Motion made and seconded, Ordered, That the Committee appointed to prepare a Letter to Mr. Agent *Bollan*, be directed therein particularly to instruct him to address his Majesty, that the French Ships of War, coming to any Parts of *North-America* may be watched, and suitable Strength be sent against them for the Protection of the Colonies. Sent up for Concurrence.

Committee to prepare a Letter to Mr. Agent *Bollan*.

A Petition of *James Gilmore*, Jun. praying he may be enabled and impowred to bring forward his Appeal from a Judgment given against him by *John Godfrey*, Esq; one of his Majesty's Justices of the Peace, to the next Court of General Sessions of the Peace to be held at *Taunton* for the County of *Bristol*, on the second Tuesday of *March* next, for the Reasons mentioned.

Petition of *James Gilmore*.

Read and Ordered, That the Petitioner serve *George Morey*, Farmer of the Excise in the County of *Bristol*, with a Copy of this Petition, that he shew Cause, (if any he have) on the second Thursday of the next Sitting of the Court, why the Prayer thereof should not be granted. Sent up for Concurrence.

An engross'd Bill Intituled *An Act for supplying the Treasury with the Sum of Twenty three Thousand Pounds, for discharging the publick Debts, &c.* Supply Bill enacted.

Read and Resolved, That the Bill pass to be enacted.

An engross'd Bill Intituled *An Act declaring in what Manner the Decrees and Orders of the Governour and Council in Controversies concerning Marriage and Divorce shall be carried into Execution.* Bill enacted.

Read and Resolved, That the Bill pass to be enacted.

An engross'd Bill Intituled *An Act for granting to his Majesty several Duties upon Vellum Parchment and Paper for two Years towards defreying the Charges of this Government.* Bill enacted

Read and Resolved, That the Bill pass to be enacted.

Post Meridiem.

A Petition of *Ebenezer Ellingwood* of *Beverly*, praying that the Justices of the Court of Sessions in the County of *Effex*, be impowred to Licence him a Retailer of spirituous Liquors in said Town.

Petition of *Eben. Ellingwood*.

Read and Ordered, That the Prayer of the Petition be so far granted,

granted, as that the Justices of the Court of General Sessions of the Peace for the County of *Effex* at their next Term, be impow-
 red (if they see fit) to Licence the Petitioner to be a Retailer of
 spirituous Liquors in the Town of *Beverly*, he first obtaining the
 Approbation of the Select-Men of said Town, the Time for granting
 of Licences being elapsed notwithstanding. Sent up for Concurrence.

Petition of *Tho. Tufon*, bro't down. *John Erving*, Esq; brought down the Petition of *Thomas Tufon*.
 Pass'd in Council, viz. In Council *January* 9th 1755. Voted, That
 this Petition be further referred for Consideration to Thursday the
 9th Instant, the Petitioner forthwith to serve the adverse Party
 with a Copy thereof. Sent down for Concurrence.

Read and concur'd.

Petition of *Capt. Phineas Stevens*. A Petition of *Capt. Phineas Stevens*, of Number *Four*, praying
 the Aid and Assistance of this Court to remove the Inhabitants of
 said Number *Four*, with their Effects, from their exposed Settlements.

Read and committed to *Col. Dwight*, *Col. Lawrence*, and Major
Gerrish, to consider and report thereon.

Petition of *Christopher Forbush*. A Petition of *Christopher Forbush*, a Soldier in the late Expedi-
 tion to the *Eastward*, praying he may be allowed his Expence
 paid his Doctors, and Nurses while Sick, &c.

Read and committed to *Col. Dwight*, *Col. Lawrence*, and Major
Gerrish, to consider and report thereon.

Committee for List. Ordered, That the Committee appointed to make up a Roll of
 the Travel and Attendance of the several Members of this House,
 make it up including the 8th Instant.

Ordered, That the Affairs of the former Treasurer, *Mr. Foye*, be
 referred for further Consideration.

Bill read. A Bill Intituled *An Act for continuing of An Act of this Govern-*
ment, Intituled An Act to impower the Proprietors of the Meeting-
House, in the first Parish in Salem, and also the Proprietors of the
Meeting-House, in the third Parish in Newbury, to raise Money, &c.

Read a first Time.

Muster Rolls laid on the Table. The Deputy Secretary laid on the Table the Muster-Rolls, and
 Accounts of the late Expedition up *Kennebeck River*, &c.

Committee for Lands. Two Petitions of the Persons living on the Province Land lying
 West of *Sheffield*, and *Stockbridge*, praying for the Protection of
 the Government, and Grant of the Lands on which they dwell.

Read and committed to *Col. Hale*, *Mr. Witt*, *Capt. Marcy*, *Mr.*
Jones, and *Mr. Quincy*, to consider and report thereon.

Petition of *Joseph Wilson*. A Petition of *Joseph Wilson* of *Boston*, praying that the Justices
 of the Court of Sessions for the County of *Suffolk* may be impow-
 red to Licence the Petitioner an Innholder, for the Reasons mentioned.

Read and Ordered, That the Prayer of the Petition be so far
 granted, as that the Justices of the Court of General Sessions of the
 Peace for the County of *Suffolk* at their present Session, be and
 hereby are impow-
 red (if they think fit) to Licence the Petitioner
 to be an Innholder in the Town of *Boston*, he obtaining the Appro-
 bation of the Select-Men of said Town, the Time for granting of
 Licences being elapsed notwithstanding.

Sent up for Concurrence.

The

The Committee appointed on the Petition of the Inhabitants of *Pequig*, reported.

Read and accepted, and thereupon *Ordered*, That the Committee appointed this Court to build and repair the Fortifications on the Frontiers between *Connecticut* and *Merrimack-River*, repair to *Pequig*, and determine what Fortresses are necessary for the Defence of said Plantation; and in order to defrey the Charges of building the same, the said Committee are hereby authorized and empowered to make Sale of Part of the Lands in said Township of *Pequig*, belonging to those Inhabitants there, who have not fulfilled the Conditions of Settlement enjoined by the General Court, and convey the same by Deed or Deeds in due Form of Law, and make Report of their Doings to the General Court.

Report on
Petition of
Pequig.

Sent up for Concurrence.

Joseph Pyncheon, Esq; brought down the Report of the Trustees of the Linnen Manufactory. In Council *January* 3d 1755. Read and sent down.

Report on
Linnen Ma-
nufactory.

Read and accepted. Mr. Secretary brought down two Letters from his Excellency Governour WENTWORTH, to his Excellency Governour SHIRLEY, one dated *Portsmouth*, *January* 3d 1755. the other *January* 4th 1755, respecting the Redemption of the Captives in *Canada*.

Letters from
Governor
Wentworth.

Which were read.

Samuel Danforth, Esq; brought down a Bill Intituled *An Act further to regulate the Choice of Representatives &c.* Pass'd in Council, *viz.* In Council *January* 7th 1755. Read and passed a Concurrence with the Amendments, as taken into a new Draught.

Bill bro't
down.

Sent down for Concurrence.

Read and *Ordered*, That said Bill be committed to Col. *Hale*, Mr. *Tasker*, and Col. *Choate*, to consider and report thereon.

A Petition of *Joseph Dwight*, Esq; praying that sundry Accounts therewith exhibited, may be allowed, for the Reasons mentioned.

Petition of
Jos. Dwight;
Esq;

Read and committed to Mr. *Witt*, Mr. *Haven*, and Col. *Choate*, to consider and report thereon.

Then the House adjourn'd till to Morrow Morning ten o'Clock.

Mercurii 8. *Die Januarii*, A. D. 1755.

A Petition of *Benjamin Prescott*, Jun. and *Archelaus Putnam*, of *Danvers* in the County of *Essex*, praying that the Court of Sessions in said County may be impowred to Licence the said *Prescott* an Innholder, and said *Putnam* a Retailer in said *Danvers*, for the Reasons mentioned.

Petition of
Benj. Prescott.

Read and *Ordered*, That the Prayer of the Petition be so far granted, as that the Justices of the Court of General Sessions of the Peace for said County of *Essex*, at their next Term, be and hereby are impowred (if they see fit) to Licence the said *Prescott* an Innholder, and said *Putnam* a Retailer of spirituous Liquors in said *Danvers*,

Danvers, they obtaining the Approbation of the Select-Men of said *Danvers*, the Time for granting of Licences being elapsed notwithstanding.

Sent up for Concurrence.

Order for
a Bill.

Ordered, That Mr. *Gibbs* of *Salem*, bring in a Bill to dissolve the Marriage of *Mary Clapham* with *William Clapham*, and to allow her to marry again.

Bill read.

The said Mr. *Gibbs* having prepared a Bill, read the same a first Time, and laid it on the Table.

Bill read.

A Bill Intituled *An Act for continuing of an Act of this Province Intituled An Act to empower the Proprietors of the Meeting-House in the first Parish in Salem, where the Reverend Mr. John Sparhawk now officiates, and also the Proprietors of the Meeting-House in the third Parish in Newbury where the Reverend Mr. John Lowell officiates, to raise Money for defraying Ministerial and other necessary Charges, made and passed in the twenty-fourth Year of his present Majesty's Reign.*

Read a second and third Time, and pass'd to be engross'd.

Sent up for Concurrence.

Report on
Governor's
Message.

The House, according to Order, took under Consideration his Excellency's Message of the 21st of *November* last, and the Report of the Committee thereon: And after a large Debate thereon,

Grant to
Major-Ge-
neral *Wins-*
low.

Ordered, That there be allowed and paid out of the public Treasury to Major-General *Winslow*, the Sum of *One Hundred and thirty Pounds* in full for his Services as chief Commander of the Forces sent the last Summer up *Kennebeck-River*, for building a Fort there.

Secretary
directed.

Ordered, That the Secretary be directed to attend the House.

Who accordingly attended.

When Mr. Speaker was pleased to inquire of him, Whether the engross'd Bill Intituled *An Act for granting to his Majesty several Duties upon Vellum Parchment &c.* was pass'd the Council, and sign'd by his Excellency the Governour?

The Secretary informed the House, that the Bill was pass'd by the Council, and signed by the Governour.

Message to
the Board.

Ordered, That a Message go up to the honourable Board, to acquaint them that the House propose to come to the Choice of an Officer of the Stamps by joint Ballot at three o' Clock.

Committee
for Accounts.

Ordered, That Col. *Partridge*, Col. *Storer*, and Capt. *Livermore*, be a Committee to take under Consideration the several Accounts of Expences at the Treaty at *Falmouth*, and the Expedition up *Kennebeck-River*, the last Summer, and report as soon as may be.

Petition of
Simon Davis.

A Petition of *Simon Davis*, Agent for the Town of *Greenwich* in the County of *Hampshire*, praying that a Tax of *three half Pence* per Acre, be laid for the Space of three or five Years next coming, upon all Lands belonging to said Town, improved and unimproved (except that Part which lies West of *Hatfield*) for the Reasons mentioned.

Read and *Ordered*, That the Petitioner serve the Proprietors of said Town with a Copy of this Petition, by inserting the Sub-

stance

stance thereof in one of the publick Prints, three Weeks successively, that they shew Cause (if any they have) on the second Friday of the next Sitting of the Court, why the Prayer thereof should not be granted.

Sent up for Concurrence.

John Otis, Esq; brought down the Petition of *Ebenezer Pool*, with a Report of a Committee of both Houses. Pass'd in Council, viz. In Council *January* 1st. 1755. Read and Ordered, That the Report be accepted, and that the Petitioner *Ebenezer Pool*, on his paying the Costs arising at the last Superiour Court, be and hereby is impowered to bring forward his Writ of Review, at the next Superiour Court of Judicature, to be holden at *Boston*, within and for the County of *Suffolk*, on the third Tuesday of *February* next; and the Justices of the said Court, hereby are impowered and directed to hear and try the same, enter up Judgment and award Execution thereon; he giving Bond in the Clerk's Office of the said Court, with sufficient Security to the adverse Party, *Peter Curtis*, to respond the Judgment that shall finally be given on the same Writ, with Interest thereon from this Day to the Time of Payment.

Petition of
Eben. Pool
bro't down.

Sent down for Concurrence.

Read and concur'd.

Post Meridiem.

A Bill Intituled *An Act for erecting the Westerly Part of Oxford* Bill read.
into a seperate District by the Name of Read a second Time
and re-committed to make the Amendment.

James Minot, Esq; came down with a Message from the honourable Board, to inform, that the Board have concurred the House in the proposed Proceeding in the Choice of a Commissioner of the Stamps; and that they are ready to come to the said Choice.

Message
from the
Board.

Ordered, That *Col. Brattle*, *Col. Lawrence*, and *Mr. Quincy*, be a Committee on the Part of the House to carry up and count the Votes for the Choice of a Commissioner of the Stamps.

Committee
for sorting
Votes for a
Stamp-Of-
ficer.

Who reported that *Mr. James Russell* was chosen.

Ordered, That a Message be sent to the honourable Board to desire them to pass upon the Letters prepared to be sent to the Agent.

Message to
the Board.

The House, according to the Order of the Day, entred into the Consideration of the usual Allowances to Civil Officers, and the following Votes passed, viz.

Allowances
to Civil-Of-
ficers.

Ordered, That the Sum of *seven Hundred and fifty Pounds* be granted and paid out of the public Treasury to the honourable Justices of his Majesty's Superiour Court of Judicature Court of Assize and General Goal Delivery, for their Service for one Year, ending the the first of *January* Currant

Superiour
Judges.

Sent up for Concurrence.

Ordered, That the Sum of *fifty Pounds* be granted and allowed to be paid out of the public Treasury to *Josiah Willard*, Esq; Secretary of this Province, in full for his Service for one Year, ending the third Day of *December* last.

Secretary.

Sent up for Concurrence.

H h h

Ordered,

Secretary. *Ordered*, That the Sum of *ninety two Pounds* be granted and paid out of the public Treasury to *Josiah Willard*, Esq; Secretary &c. in Consideration of his extraordinary Services, ending on the third Day of *December* last. Sent up for Concurrence.

President & Professors. *Ordered*, That the Consideration of a Grant to be made Mr. President *Holyoke*, and the *Hollisian* Professor of Divinity, and *Hollisian* Professor of the Mathematicks, and also the *Hebrew* Instructor, of *Harvard-College*, be referred to the next Sitting of this Court, that they may have Opportunity to inform the House respecting the Sufficiency of the Support they annually receive.

Letters to Agent *Bollan* brought down. *Joseph Pyncheon*, Esq; brought down the Draught of a Letter to Mr. Agent *Bollan*, reported by a Committee of both Houses. Pass'd in Council, viz. In Council *January* 8th 1755. Read and accepted with the Amendment, viz. dele at A, & B.

Sent down for Concurrence.

Read and nonconcur'd, and the House insist on the Draught as reported by the Committee except the Amendment at B, and therein, the House concur with the honourable Board.

Sent up for Concurrence.

Joseph Pyncheon, Esq; brought down the Draught of a Letter to Mr. Agent *Bollan*, reported by a Committee of both Houses. Pass'd in Council, viz. In Council *January* 8th 1755. Read and accepted, and *Ordered*, That the Secretary sign the same in the Name of the two Houses.

Sent down for Concurrence.

Read and *Ordered*, That the said Letter be recommitted to the Committee to make the proposed Amendments.

Sent up for Concurrence.

Petition of Capt. *Phineas Stevens* brought down. The Committee appointed on the Petition of Capt. *Phineas Stevens*, as entred Yesterday, reported.

Read and accepted, and *Voted*, That his Excellency the Captain-General be desired to impower Capt. *Phineas Stevens*, or such other Person as he shall think proper, to enlist fifteen able-bodied effective Men, to enter into the Service as Soldiers on the fifteenth Day of *February* next, for the Defence and Protection of the Inhabitants of Numb. *Four* on *Connecticut-River*, to be continued in the Service until the fifteenth of *October* next, or until his Majesty's Pleasure respecting said Inhabitants be known, provided it be before the fifteenth of *October*.

Sent up for Concurrence.

Then the House adjourn'd till to Morrow Morning ten o'Clock.

Jobis 9. Die Januarii, A. D. 1755

Bill enacted. **A**N engrois dBill Intituled *An Act for the securing the Growth and Increase of certain Wood and Timber, in the Townships of Ipswich and Wenham, in the County of Essex.*

Read and *Resolved*, That the Bill pass to be enacted.

Bill read. A Bill Intituled *An Act to dissolve the Marriage of Mary Clapham, with William Clapham, and to allow her to marry again.*

Read a second and third Time and pass'd to be engross'd.

Sent up for Concurrence.

The

The Committee appointed on the Petition of *Phineas Osgood*,
reported. Report on
Petition of
Phineas Osgood.

Read and accepted, and *Ordered*, That there be allowed and paid out of the public Treasury the Sum of *two Pounds fourteen Shillings*, in full discharge of the Sums mentioned in the Petition.

Sent up for Concurrence.

On a Motion made and seconded, *Ordered*, That a Message be sent to the honourable Board, to desire they would reconsider their Vote of Non-concurrence of the Vote of the House appointing a Committee to view &c. a proper Place in the Town of *Watertown* whereon to erect a Court-House. Message to
the Board.

A Bill Intituled *An Act for setting off the Inhabitants as also the Estates of the Westerly Part of Oxford into a seperate Distrid by the Name of* Bill read.

Read a second and third Time and pass'd to be engross'd.

A Petition of *John Franklin* and *Isaac Winslow*, in Behalf of themselves and Company, praying for the Confirmation of a Plan of fifteen Hundred Acres of Land, with the Addition of sixty three Acres and forty Rods, for the Reasons mentioned. Petition of
John Franklin,
&c.

Read and *Ordered*, That the Prayer of the Petition be so far granted, as that the said Plan be accepted, and that the Lands therein delineated and described, including the sixty three Acres and forty Rods laid down on the East Side of said Plan, be confirmed to the said Petitioners and Company, their Heirs and Assigns for ever; provided the whole contain no more than fifteen Hundred and sixty three Acres and forty Rods, and does not interfere with any former Grant; provided also that the said Petitioners and Company be at the Charge of obtaining the Indian Title to said Lands.

Sent up for Concurrence.

Ordered, That Mr. Speaker issue a Precept to the Select-Men of the Town of *Boston*, for the Choice of a Representative (if they see fit) in the Room of the Hon. *James Allen*, Esq; deceased, to serve for the said Town the remaining Part of the present Year. Order for
Choice of a
Representa-
tive.

The Committee appointed on the Petition of *Henry Woods*, reported. Which was read, and thereupon *Voted*, That there be allowed and paid out of the public Treasury, the Sum of *three Pounds fourteen Shillings and eight Pence* to the Petitioner, in full for his Account paid the Doctor, as mentioned in the Petition. Committee
Petition of
Henry Woods.

Sent up for Concurrence.

A Message from his Excellency the Governor by Mr. Secretary, which is as follows, viz. Governor's
Message.

Gentlemen of the House of Representatives,

I Have signed my Consent to all the Bills you have passed at this Sitting of the Court, that concern the raising of a Revenue for defraying the publick Charges of the Province; but by Reason of the different Apprehensions his Majesty's good Subjects of this Province have relating to Methods pursued by this Court for the raising of this Revenue; it seems probable that great Difficulties will arise in getting the Treasury seasonably supply'd, for answering the necessary Expences of the Government in this critical Conjuncture of our Affairs; And if our Expectation

pectation should be frustrated in this Point, it may prove of fatal Consequence to the Province.

For remedying this Evil, I would earnestly recommend to you, Gentlemen, That such Monies as Persons may advance for this necessary Service may, by the Authority of this Court, be expressly exempted from being taxed in the usual Assessments.

This has been the constant Practice of the Parliament of Great Britain, and has been found by long Experience to be a happy Expedient for seasonable Supplies of Money in the publick Exchequer there : By which Means, notwithstanding the vast Expences of that Government, the public Money has been more easily raised than in other Kingdoms and States in Europe.

And as this seems to be the best, and probably may be an effectual Relief in the present Embarrassment of our public Affairs, I must desire you would take the Matter into your immediate Consideration, lest while you imagine you have provided for a full Treasury, we shall find it empty at a Time when the Safety of the Province will require present and quick Payment of the Draughts which may be made upon it.

Council Chamber

W. SHIRLEY.

January 9th 1755.

Read and Ordered, That the foregoing Message be considered at three o'Clock Afternoon.

Treasurer's
Grant.

Ordered, That the Sum of *two Hundred Pounds*, be granted and allowed out of the public Treasury, to *Harrison Gray, Esq;* Treasurer and Receiver-General of his Majesty's Revenues of this Province, for a Year's Service, ending the 23d of *December* last.

Sent up for Concurrence.

Speaker.

Ordered, That there be granted and allowed to be paid out of the public Treasury the Sum of *three Shillings* per Diem to the Hon. *Thomas Hubbard, Esq;* Speaker of the House, for every Day of his Attendance in the General Court from the opening of the Session on the 29th of *May* 1754, over and above his Pay as a Member of the House.

Sent up for Concurrence.

Clerk.

Ordered, That *Oliver Partridge, Esq;* Clerk of the House of Representatives, be allowed and paid out of the public Treasury the Sum of *twelve Shillings* per Diem for his Service during the several Sessions of the General Court the current Year.

Sent up for Concurrence.

Chaplains.

Ordered, That there be allowed and paid out of the public Treasury the Sum of *twelve Pounds*, one Half to the Reverend Chaplain of the honourable Board the present Year ; the other Half to the Reverend Dr. *Sewall*, Chaplain of the House.

Chaplain of
the Castle.

Ordered, That there be granted and allowed to be paid out of the public Treasury to Mr. *John Phillips*, Chaplain of his Majesty's Castle *William*, the Sum of *forty Pounds*, as a Gratuity for his Service in that Trust the Year past.

Sent up for Concurrence.

Commissary
General.

Ordered, That there be granted and allowed to be paid out of the public Treasury the Sum of *One Hundred and fifty Pounds* to *John Wheelwright, Esq;* Commissary-General, for his Service in that Office for one Year.

Sent up for Concurrence.

Ordered,

Ordered, That there be allowed and paid out of the public Treasury the Sum of *sixty Pounds* to Mr. *William Baker*, Door-keeper to his Excellency the Governour and this Court, for his Service for one Year, to be paid Quarterly : And also that the further Sum of *forty Pounds*, in Consideration of his Expence in hiring Assistance and extraordinary Care and Trouble as Door-keeper.

Doorkeeper.

Sent up for Concurrence.

Ordered, That there be allowed and paid out of the public Treasury the Sum of *fifty Pounds* to *John Larrabee*, Lieutenant of his Majesty's Garrison at *Castle-William*, in Consideration of his faithful Discharge of that Trust reposed in him.

Lieut. of the Castle.

Sent up for Concurrence.

Ordered, That the Sum of *forty Pounds* be granted and paid out of the public Treasury to the Hon. *Stephen Sewall*, Esq; in Consideration of his faithful Discharge of the important Trust reposed in him as Chief Justice, and for his further Encouragement therein.

Chief Justice of Superiour Court.

Sent up for Concurrence.

Post Meridiem.

Benjamin Lincoln, Esq; brought down a Letter prepared to be sent to Mr. Agent *Bollan*. Pass'd in Council, viz. In Council Jan. 9th 1755. Read and non-concur'd, and the Board adhere to their own Vote.

Letter to Mr Agent Bollan.

Sent down for Concurrence.

Read and nonconcur'd, and the House adhere to their own Vote, with the further Amendment at C.

Sent up for Concurrence.

The House, according to Order, took under Consideration his Excellency's Message of this Day, and after a large Debate thereon, *Ordered*, That Col. *Hale*, Capt. *Livermore*, and Judge *Russell*, be a Committee forthwith to prepare a Bill exempting Money lent to this Government from being taxed.

Committee on his Excellency's Message.

Joseph Pynchon, Esq; brought down a Journal of Mr. *Nathanael Wheelwright*, his Journey to *Canada* in the Service of the Government, and laid the same on the Table.

Mr. Wheelwright's Journal bro't down.

Ordered, That a Message go up to the honourable Board to desire they would not rise, as something of Importance would be sent up.

Message to the Board.

The Committee appointed on the Petition of *Cornelius Cavenough*, reported. And thereupon

Voted, That his Excellency the Captain-General be desired to give Orders that the said *Cavenough* be placed as a Supernumerary-Soldier at *Brunswick* Fort.

Report on Petition of *Cornelius Cavenough*.

Sent up for Concurrence.

A Message from his Excellency the Governour by Mr. Secretary: Which he read, and laid on the Table.

Message from his Excellency.

Read and *Ordered*, That his Excellency's Message be considered to Morrow ten o'Clock.

A Bill Intituled *An Act to exempt such as shall lend Money to the Government from paying Taxes for the same*.

Bill read.

Read a first second and third Time, and pass'd to be engross'd.

Bill enacted. An engross'd Bill Intitl'd *An Act to dissolve the Marriage of Mary Clapham, and to allow her to marry again.*

Read and *Resolved*, That the Bill pass to be enacted.

Letters Mr. Agent *Bollan*. Pass'd in Council, viz. In Council Jan. 9th
bro't down. 1755. Read and accepted as now amended.

Sent down for Concurrence.

Andrew Oliver, Esq; brought down the following Vote of Council, viz. In Council January 9th 1755. *Ordered*, That *John Cushing*, *Thomas Hutchinson*, and *Stephen Sewall*, Esqrs; be a Committee on the Part of the Board to confer with such Committee as shall be appointed by the honourable House of Representatives, on the Matter in Difference between the two Houses respecting the Letter to Mr. Agent *Bollan*, which relates to the Excise Act pass'd this Session.

Sent down for Concurrence.

Read and concur'd, and Col. *Choate*, Col. *Hale*, and Judge *Russell*, are joined in the Affair.

Then the House adjourn'd 'till to Morrow Morning ten o'Clock.

Veneris 10. Die Januarii, A. D. 1755.

List of Tra-
vel. **T**HE Committee appointed to prepare a List of the Travel and Attendance of this House the present Year, Reported a List including the Travel of the several Members with their Attendance the May Session, as also the present Session, including the 8th Instant.

Read and accepted, and *Ordered*, That the Clerk of the House certify the same.

The Committee appointed on the Petition of *Joseph Kellogg*, Esq; reported.

Report
on Petition
of *Jos. Kellogg*
[Services] Read and accepted, and *Ordered*, That the Petitioner be allowed the Sum of *thirty two Pounds* for his Services and Losses while Interpreter for the Mohawk Indian Children at *Stockbridge*, out of the Interest of the Monies appropriated by Sir *Peter Warren*, deceased, for the Education of Mohawk Children. And that the Petitioner be further allowed out of the public Treasury the Sum of *eight Pounds* in full for his Services as Interpreter at the Congress at *Albany* the last Summer. Sent up for Concurrence.

Bill read. A Bill Intitl'd *An Act for the Encouragement of the Cod-Fishery*.
Read a first Time, and *Ordered*, That the Bill be referred to the next Sitting for further Consideration.

The Committee on the Petition of *Christopher Forbush*, reported. And thereupon *Ordered*, That said Petition be referred to the next Sitting for further Consideration.

[Province] Bill bro't
down. *Samuel Watts*, Esq; brought a Bill Intitl'd *An Act for continuing an Act of this Province to impower the Proprietors of the Meeting-House in the first Parish in Salem, where the Reverend Mr. John Sparhawk*

hawk officiates, and also the Proprietors of the Meeting-House in the third Parish in Newbury where the Reverend Mr. John Lowell officiates, to raise Money for defraying Ministerial and other necessary Charges, made and passed in the twenty-fourth Year of his present Majesty's Reign.

[Charges]

Pass'd in Council, viz. In Council January 9th 1755. Read and pass'd a Concurrence with the Amendments, as taken into a new Draught.

Sent down for Concurrence.

Read and concur'd.

Isaac Royall, Esq; brought down a Bill Intituled *An Act for appointing Assayers of Pot-Ash and Pearl-Ash.* Pass'd in Council, viz. In Council January 10th 1755. Read a first and second Time, and pass'd to be engross'd.

Bill bro't down.

Sent down for Concurrence.

Read a first Time, and Ordered, That the further Consideration of the Bill be referred to the next Sitting.

Odered, That James Bowdoin, Esq; be of the Committee to wait on his Excellency the Captain-General, to inquire respecting the Province Stores in the Province Arsenals.

Mr. Bowdoin of a Committee.

The Committee appointed on the Petition of Amos Parling, as entred the 2d Instant, reported.

Read and Ordered, That the Consideration of said Report be referred to the next Sitting, and that the Petitioner notify Joseph Crafford and Levi Hamilton, to attend this House at said Time.

Report on Petition of Amos Parling.

Isaac Royall, Esq; brought down the Draught of a Letter prepared to be sent to Mr. Agent Bollan. Pass'd in Council, viz. In Council January 10th 1755. Read and concur'd with the further Amendment at D.

Sent down for Concurrence.

Read and concur'd.

The Committee appointed on the Petition of Thomas Cooper and Francis Veer, reported that the same be dismissed.

Order on Petition of Thomas Cooper.

Read and accepted, and Ordered, That the Petition be dismiss'd accordingly.

Read and Ordered, That Col. Brattle be of the Committee for the Repairs of Castle-William, in the Room of Mr. Allen, deceased.

Col Brattle of a Committee.

Sent up for Concurrence

Ordered, That James Bowdoin, Esq; be of the Committee to farm out the Excise on Tea &c. in the County of Suffolk, in the Room of Mr. Allen, deceased.

Mr. Bowdoin of a Committee.

Sent up for Concurrence.

The Committee appointed on the Petition of Ruth Jeffery, as entred the 10th of April last, and referred to this Time, reported that the same be dismissed.

Report on Petition of Ruth Jeffery.

Read and accepted, and Ordered, That said Petition be dismissed accordingly.

On a Motion made and seconded, Ordered, That a Message be sent to the honourable Board to inquire, whether they have reconsidered their Vote of Non-concurrence of the Vote of the House appointing a Committee to view a suitable Place &c. in the Town of Watertown to erect a Court-House.

Message to the Board.

Post

Post Meridiem.

Message
from the
Governour.

A Message from his Excellency the Governour by Mr Secretary,
viz.

Mr. Speaker, His Excellency directs the Attendance of this honourable House in the Council Chamber.

Mr. Speaker and the House went up accordingly, when his Excellency was pleased to make a Speech to both Houses ; of which Mr. Speaker obtained a Copy ; and then with the House returned to their own Chamber.

Read and *Ordered*, That the Consideration of his Excellency's Speech be referred to the next Sitting.

The Committee appointed on the Petitions of *Charles Apthorp*, Esq; and others ; and of Mr. *Edward Gray*, and others, reported.

Read and *Ordered*, That Mr. Speaker, Mr. *Welles*, and Mr. *James Russell*, be a Committee to prepare a Bill in the Recess of the Court, to exempt Hemp, and such Goods and Merchandize as are imported from *Great Britain* into this Province on Freight, which are the Property of the Inhabitants of the Neighbouring Governments &c. from the Duty of Impost laid upon them by Act passed the last May Session.

Message to
the Board.

Ordered, That a Message go up to the honourable Board to desire they will give Dispatch to the Affairs that are before them, that the Court may rise to Morrow, if his Excellency pleases.

Governor's
Message re-
lating to the
Treasurer's
Grant.

A Message from his Excellency by Mr. Secretary ; which he read, and laid on the Table ; And is as follows, *viz.*

Gentlemen of the House of Representatives,

THE Office of a Treasurer of this Province is of great Trust, and the Business of it requires great Labour and Diligence ; The Gentleman now in that Place you have put under large Bonds for his faithful Discharge of his Trust : Your second Election of him after more than a Year's Experience of his Conduct in this Business, is a manifest Proof of your Confidence in his Faithfulness and Sufficiency : The only Dependence he has of being properly supported in this Office of such Eminence in the Government, is on the yearly Allowance you make him for this Service ; there being no Kind of Fees or Perquisites incidental to this Business ; and your Allowance now made to Mr. Treasurer Gray, seems to me not to be equal to the Importance of his Trust, nor the Honour of the Government who employ him.

The Execution of this Trust must necessarily take up your Treasurer's whole Time, and deprive him of any other Means of Support ; and you can't expect that a Gentleman fit for serving in this Office, can support his Family with the present Allowance.

For these Reasons, Gentlemen, I must desire you would re-consider the Grant you have voted for the Treasurer to enlarge it.

Council Chamber

W. SHIRLEY.

January 10th 1755.

Ordered, That the Consideration of his Excellency's Message be referred to the next Sitting of the Court.

An engross'd Bill Intituled *An Act to exempt such as shall lend Money to the Government from paying Taxes for the same.* Bill read.

Read, and the Question was put, *Whether the Bill should pass to be enacted?* It pass'd in the Negative.

An engross'd Bill Intituled *An Act for setting off the Inhabitants, as also the Estates of the Westerly Part of Oxford into a seperate District by the Name of* Bill enacted.

Read and Resolved, That the Bill pass to be enacted.

Ordered, That Col. Choate, Col. Storer, Judge Russell, Capt. Tyler, and Col. Miller, wait on his Excellency the Governour, and inform him, the House apprehend that his Excellency's Speech and Message of this Day, contain Matters of such Consequence, they shall not have Time maturely to consider the same this Sitting, have therefore referred the Consideration of them until the next Sitting of the Court, and desire his Excellency the Court may rise to Morrow Morning. Message to the Gov.

Ordered, That Mr. Welles go up with a Message to the honourable Board to enquire whether they have passed on the Vote of the House respecting the Lands West of Sheffield and Stockbridge. Message to the Board.

Who reported he was informed, they had referred the Consideration thereof to the next Sitting of the Court.

Ordered, That the Representatives of the Town of Boston inquire what damaged Powder there is belonging to the Province in their several Magazines, and cause the same to be new wrought and repaired in the Powder-Mill, or dispose of the same, with the Leave of the Captain-General. Committee on Powder.

An engross'd Bill Intituled *An Act for continuing an Act of this Province Intituled An Act to empower the Proprietors of the Meeting House in the first Parish in Salem where the Reverend Mr. Sparhawk now officiates, and also the Proprietors of the Meeting House in the third Parish of Newbury where the Reverend Mr. John Lowell officiates, to raise Money for defreying Ministerial and other necessary Charges.* Bill enacted.

Read and Resolved, That the Bill pass to be enacted.

Then the House adjourn'd 'till to Morrow Morning nine o'Clock.

Sabbati 11. Die Januarii, A. D. 1755.

A Petition of James Day of Gloucester in the County of Essex, praying that the Court of Sessions for said County, may be empowered to Licence him a Retailer of spirituous Liquors &c. for the Reasons mentioned. Petition of James Day.

Read and Ordered, That the Prayer of the Petition be so far granted, as that the Justices of the Court of General Sessions of the Peace for said County at their next Term (if they judge meet) be & hereby are empowered to Licence the Petitioner a Retailer of spirituous Liquors in the Town of Gloucester, he obtaining the Approbation of the Select-Men of the said Town, the Time for granting of Licences being elapsed notwithstanding; also Tea, Coffee &c.

Sent up for Concurrence

K k k

Ordered,

Message to the Governor. *Ordered*, That Capt. *Ruggles*, Col. *Brattle*, and Mr. *Hunt*, wait on his Excellency the Governour, and inform him, that it is the earnest Desire of this House, that his Excellency would use his Interest with the Crown, that the Act pass'd this Session granting an Excise to his Majesty on spirituous Liquors &c. may not be disallowed by his Majesty.

Voterelating to Gun Powder. *John Otis*, Esq; brought down a Vote passed the House this Day respecting the Province Gun-Powder that is damaged &c. Pass'd in Council, *viz.* In Council *January* 11th 1755. Read and concur'd, and *Jacob Wendell* and *Ezekiel Cheever*, Esqrs; are joined in the Affair.

Sent down for Concurrence.

Read and concur'd.

Petition of *Joseph Kellogg* bro't down. *James Minot*, Esq; brought down the Petition of *Joseph Kellogg*, Esq; Pass'd in Council, *viz.* In Council *January* 11th 1755. Read and concur'd with the Amendment at A.

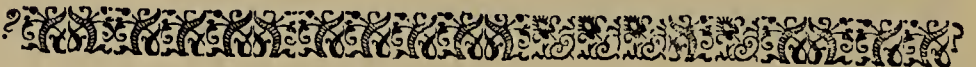
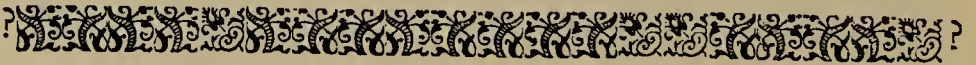
Sent down for Concurrence.

Read and concur'd.

Message to the Governor. *Ordered*, That a Message be sent to his Excellency the Governour to inform him, the House have dispatched the Business laid before them, and desire his Excellency that the Court may rise.

Prorogation of the Court. A Message from his Excellency the Governour by Mr. Secretary, *viz.* *Gentlemen*, His Excellency directs that this Great and General Court or Assembly be Prorogued to Wednesday the fifth Day of *February* next at ten o'Clock in the Forenoon.

And then the Secretary declared the said Court to be Prorogued to that Time accordingly: And that his Excellency expects the punctual Attendance of the Members at that Time.



Anno Regni Regis GEORGII, II. Magnæ Britanniae et Hiberniae &c.
Vicesimo Octavo.



A
JOURNAL
Of the Honourable House of

REPRESENTATIVES,

At a Great and General Court or Assembly of His Majesty's Province of the *Massachusetts-Bay* in *New-England*, begun and held at *Boston* in the County of *Suffolk* upon Wednesday the 29th Day of *May*, Anno Dom. 1754. and from thence continued by Prorogation to Wednesday the fifth of *February* following, and then met at *Boston* afore said, being the second Session of said Court.

Quorum of the House being met ; Ordered, That Mr. *Welles*, Capt. *Livermore*, *James Bowdoin*, Esq; Mr. *Tasker*, and Col. *Winslow*, be a Committee to wait on his Excellency the Governour, and acquaint him, that a Quorum of the House are now met, and ready to proceed to the Business of the Session whenever his Excellency pleases.

Who returned that they had delivered the Message.

The Precept sent by Order of the honourable House to the Town of *Boston*, was returned, and certified thereon by the Select-Men, that the Inhabitants of said Town had made Choice of Mr. *John Tyng*, to be their Representative, in the Room of the honourable *James Allen*, Esq; deceased.

The Precept sent by Order of the House to the Town of *Stoughton*, was returned, and certified thereon by the Select-Men, that the Inhabitants of said Town had made Choice of Mr. *Joseph Hewens*, Jun. their Representative, in the Room of *John Shepard*, Esq;

Ordered, That *William Brattle*, Esq; attend on Mr. *Tyng*, and Mr. *Hewen*, to the Gentlemen appointed by Dedimus to administer the Oaths &c. to the several Members of this House.

Who returned, that they had taken the Oaths and subscribed the Declaration appointed instead of the Oaths of Allegiance and Supremacy.

Then the House adjourn'd 'till to Morrow Morning ten o'Clock.

Jobis 6. Die Februarii, A. D. 1755.

Members
directed.

O Rdered, That the several Members of this House lodge with the Clerk a Certificate of the Number of Days of their Attendance at Court, upon their leaving the same, in order for the making up the List.

Post Meridiem.

Governor's
Message to
both Houses.

A Message from his Excellency the Governour to both Houses, by the Deputy Secretary ; which is as follows, viz.

Gentlemen of the Council and House of Representatives,
I Have lately received some publick Dispatches which contain Matters of Importance ; which I must carefully look over and consider before I can properly lay open to you the most necessary Business of this Session ; and for that Reason I must defer speaking to you until to Morrow Morning. In the mean Time, I would not have this Delay hinder you from proceeding on any other Business which may lie before you.

Febr. 6th 1755.

W. SHIRLEY.

Which was read.

Memorial
of Treasurer
Gray.

A Memorial of *Harrison Gray*, Esq; Province-Treasurer, shewing that agreeable to an Order of this Court, pass'd in January last, he has waited upon *Charles Apthorp* and *Thomas Hancock*, Esqrs; Agents to Lady *Warren*, in Order to receive the Moneys therein mentioned, and that he was informed by them that they had no Monies in Hand belonging to Lady *Warren*, but was willing to assign over to him undeniable Securities for the same, praying the further Directions of the Court.

Read and Ordered, That Col. *Hale*, Col. *Brattle*, and Mr. *Tyng*, be a Committee to draw a proper Vote for this House to pass thereon.

Petition of
Christian
Wainwright
&c.

A Petition of *Christian Wainwright* and *Francis Wainwright*, the said *Christian* Guardian to the said *Francis*, praying for Liberty to sell Part of the Real Estate of the said *Francis*, for the Reasons mentioned.

Read and committed to Mr. *Tyng*, Capt. *Livermore*, and Col. *Brattle*, to consider and report thereon.

Petition of
Wm. Sturte-
vant.

A Petition of *William Sturtevant* of *Hallifax*, in the County of *Plymouth*, Grandson of *William Sturtevant*, late of said *Hallifax*, deceased, and *Hezekiah Beers*, Guardian to *Isaac*, *Simeon*, *Samuel*, *Jesse* and *Nathanael Sturtevant*, all Grandsons to said Deceased, praying for Liberty to make Sale of about eighty Acres of Land, and one quarter Part of a Saw-Mill lying in said *Hallifax*, belonging to said Minors, for the Reasons mentioned.

Read and committed to Col. *Clap*, Col. *Bradford*, and Mr. *Sever*, to consider and report thereon.

Petition of
Sam. Heyden.

A Petition of *Samuel Heyden* of *Medford* in the County of *Mid-*
dlex, praying that the Court of Sessions for said County, may be empowered to Licence him to be an Innholder in said Town.

Read

Read and *Ordered*, That the Prayer of the Petition be granted, and that the Justices of the Court of General Sessions of the Peace for the County of *Middlesex* at their next Term, be and hereby are impow-
red (if they see fit) to Licence the Petitioner to be an Innholder in the Town of *Medford*, he obtaining the Approbation of the Select-Men of said Town, the Time for granting of Licences being elapsed notwithstanding.

Sent up for Concurrence.

A Petition of *Aaron Wood* of *Rowley* in the County of *Essex*, Petition of Aaron Woods. praying that the Court of Sessions for said County at their next Term, may be impow-
ered to Licence him an Innholder in said Town.

Read and *Ordered*, That the Prayer of the Petition be granted, and that the Justices of the Court of General Sessions of the Peace for the County of *Essex*, at their next Term, be and hereby are impow-
ered (if they see fit) to Licence the Petitioner an Innholder in said Town, he obtaining the Approbation of the Select-Men of said Town, the Time for granting Licences being elapsed notwith-
standing.

Sent up for Concurrence.

A Petition of *Thomas Tracy* of *Pembroke* in the County of *Ply-* Petition of Thomas Tracy.
*mou*th, praying that the Court of Sessions for said County may be
impow-
ered to Licence him an Innholder in said Town.

Read and *Ordered*, That the Prayer of the Petition be granted, and that the Justices of the Court of General Sessions of the Peace for the County of *Plymouth* at their next Term (if they think fit) be and hereby are impow-
ered to Licence the Petitioner to be an Innholder in the Town of *Pembroke*, he obtaining the Approba-
tion of the Select-men of said Town, the Time for granting of Li-
cences being elapsed notwithstanding. Sent up for Concurrence.

Then the House adjourn'd 'till to Morrow Morning nine o'Clock.

Veneris 7. Die Februarii, A. D. 1755.

THE Committee appointed to examine the Accounts of the
Commissary-General, reported that they had examined the Report on
Commissary
Wheelwright's
Accounts.
Accounts of *John Wheelwright*, Esq; Commissary-General, and find
the same right Cast and well vouched, and that the said Mr. *Wheel-*
wright, has disbursed for his Majesty's Service the Sum of *Twenty*
one Thousand eight Hundred ninety two Pounds nineteen Shillings and
eight Pence, and that he hath received of the Province Treasurer per
Warrants in Part thereof, with several Articles sold belonging to
the Province, amounting to *Eighteen Thousand five Hundred & sixty*
six Pounds eleven Shillings and six Pence to the 31st of May 1754;
There is therefore due from the Province to said *Wheelwright* for the
Ballance thereof *Three Thousand three Hundred and twenty six Pounds*
eight Shillings and two Pence old Tenor, equal to *Four Hundred and*
forty three Pounds ten Shillings & five Pence Lawful Money.

Signed

T. Hubbard, per Order.

Read

Read and *Ordered*, That the fore-going Report be accepted, and that there be allowed and paid out of the public Treasury to *John Wheelwright*, Esq; Commissary-General the Sum of *Four Hundred and forty three Pounds ten Shillings and five Pence* Lawful Money, in full Discharge of his General Accounts.

Sent up for Concurrence.

Petition of
Josiah Meads.

A Petition of *Josiah Meads*, formerly of *Plymouth*, who hath been many Years a Soldier in the Service of the Government, but some Years since dismissed, and by the many Hardships he underwent, is now incapable of supporting himself, praying the compassionate Consideration of this Court.

Read and committed to Col. *Winslow*, Mr. *Quincy*, and Capt. *Richardson*, to consider and report thereon.

Report and
Vote there-
on.

The said Committee made Report: Which was read and accepted, and thereupon,

Voted, That his Excellency the Captain-General be desired to Post the said *Meads* the Petitioner as a Supernumary at his Majesty's Castle *William*, and that as such he be subsisted as a common Soldier, and that his Pension of *forty Shillings* per Annum from his Time of Entrance there shall determine and cease.

Sent up for Concurrence.

Committee
for an Addi-
tion to Sup-
ply Bill.

Ordered, That Mr. *Tasler*, Col. *Hale*, and Col. *Brattle*, be a Committee to bring in a Bill in Addition to the Act for the Supply of the Treasury passed the last Sitting of the Court.

Vote of
Council
bro't down.

John Otis, Esq; brought down the following Vote, pass'd in Council, viz. In Council, *February 6th 1755*.

Ordered, That *Stephen Sewall*, and *Benjamin Lincoln*, Esqrs; with such as the honourable House shall appoint, be a Committee to prepare and bring in a Bill for the better Manufacturing of Leather within this Province.

Sent down for Concurrence.

Read and concur'd, and Mr. *Welles*, Mr. *Tyng*, and *James Bowdoin*, Esq; are joined in the Affair.

Vote of
Council
relating to
Licences
bro't down.

Benjamin Lincoln, Esq; brought down the following Vote, pass'd in Council, viz. In Council *February 7th 1755*.

Whereas the Petitions to this Court for impowering the Court of General Sessions of the Peace in the respective Counties to grant Licences to sell strong Drink out of the Term stated by Law, are of late Years greatly multiplied; and it is much to be feared that the Number of those Houses are thereby not a little increased, to the Hurt of the Morals of the People of this Province:

Ordered, That *Samuel Watts* and *Andrew Oliver*, Esqrs; with such as the honourable House shall join, be a Committee to consider of some other Method for the Relief of such Persons as have without their own Neglect miss'd the proper Term for granting Licences; and that so the Time of this Court may be less taken up in such Affairs.

Sent down for Concurrence.

Read and concur'd, and Mr. *Welles*, Capt. *Livermore*, and Mr. *Gibbs*, of *Newton*, are joined in the Affair.

Whereas

Whereas some Difficulties arise upon the Order pass'd this Court the 17th of December last, upon the Petition of Jeremiah Williams : Order on
Petition of
Jer. Williams
Ordered, That Col. Clap, Col. Brattle, and Mr. Witt, be a Committee to prepare a Vote in Explanation of the said Order.

A Message from his Excellency the Governor by Mr. Secretary, viz. Message
from the
Governor.
 Mr. Speaker, His Excellency directs the Attendance of this honourable House in the Council Chamber.

Mr. Speaker and the House went up accordingly ; when his Excellency was pleased to make a SPEECH to both Houses ; of which Mr. Speaker obtained a Copy, and then with the House returned to their own Chamber.

Ordered, That His Excellency's SPEECH be taken under Consideration at four o'Clock Afternoon.

Post Meridiem.

The Committee appointed to prepare a Vote in Explanation of a Vote passed the 17th of December last, upon the Petition of Jeremiah Williams, &c. reported. Report of a
Vote on the
Petition of
Jer. Williams
and Order
thereon.

And thereupon the House came into the following Order, viz.

Upon Suggestion that the Order of the Great and General Court made and passed on the 17th of December last upon the Petition of Jeremiah Williams and John Dowse has not been comply'd with, and that the said Jeremiah Williams made his Motion to the Justices of the Inferiour Court of Common Pleas held at Boston in and for the County of Suffolk on the first Tuesday of January last, to have the Benefit of that Order, and that the same was not granted, but the Consideration thereof continued to the next Term by Reason of some Doubt whether the respective Courts were fully empowered without new Process to proceed to Trial :

Therefore Voted and Ordered, That the Reference Report and Judgments complained of in the Petition, be and hereby are declared null and void, and the Justices of the Inferiour Court of Common Pleas next to be holden at *Boston*, in and for the County of *Suffolk*, on the first Tuesday of *April* next, are hereby directed and empowered to hear and try the Cause between the said *Williams* and *John Morey* mentioned in the Petition, to enter up Judgment and award Execution thereon in the same Manner as fully to all Intents and Purposes as if the same had stood continued and no Reference had been entred into or Judgment been rendred thereon ; and that the Justices of the Court of Sessions of the Peace to be held at *Boston* in and for the County of *Suffolk* on the first Tuesday of *April* next, are hereby directed and empowered to hear and try the Appeal mentioned in said Petition, enter up Judgment, and award Execution in the same Manner and as fully to all Intents and Purposes as if the same had stood, continued, and there never had been any Reference or Judgment of the Court of Sessions thereon.

Sent up for Concurrence.

M m m

The

Order on
Governor's
Speech.

The House, according to Order, entred into the Consideration of his Excellency's SPEECH, and after a Debate had thereon :

Ordered, That the further Consideration thereof be had on Tuesday next three o'Clock Afternoon.

Committee
on Captives.

Ordered, That Col. *Hale*, Mr. *Welles*, and Mr. *Quincy*, with such as the honourable Board shall join, be a Committee to consider of some proper Method for the Redemption of the Captives now in *Canada* belonging to this Province.

Sent up for Concurrence.

Then the House adjourn'd 'till to Morrow Morning ten o'Clock.

Sabbati 8. Die Februarii, A. D. 1755.

Bill read.

A Bill Intituled *An Act to exempt Hemp of foreign Growth, also Goods which are the Property of the Inhabitants of other Governments imported from Great Britain, from paying the Duties of Impost.*

Read a first Time. And *Ordered*, That the Bill have a second Reading Monday next three o'Clock Afternoon.

Report on
Petition of
Treasurer
Gray, relating
to Lady
Warren's
Letter.

Robert Hale, Esq; from the Committee on the Petition of Mr. *Treasurer Gray*, reported.

Read and accepted, and thereupon *Voted*, That the *Treasurer* be and hereby is directed to inform the Agents of the *Lady Warren*, that he is ready to receive of them the Monies which she has ordered to be paid to the Order of the Province, as soon as they shall have collected the same; and that it is the Desire of this Court that they would do it as soon as may be, that so the charitable Intention of the late Sir *Peter Warren* may be no longer delay'd: And the *Treasurer* is hereby impowered to receive the said Money, being *Seven Hundred Pounds Sterling* with Interest from *March 25th 1751*, and give a proper Discharge for the same.

Sent up for Concurrence.

Report of a
Committee
relating to
Provision-
Vessels.

On a Motion made and seconded, *Ordered*, That Mr. *Welles*, Col. *Brattle*, and Mr. *Quincy*, be a Committee to prepare a Vote desiring his Excellency the Governour to stop certain Vessels laden with Provisions, supposed to be bound to *Cape-Breton*; and that his Excellency be also desired to write to the Governours of the several Provinces where it's probable Provisions may be ship'd either for *Cape-Breton* or the River *St. Lawrence*.

And also that the said Committee be directed to bring in a Bill to regulate the Exportation of Provisions for a limited Time.

John Erving, Esq; brought down the Petition of *Margaret Eliot*. Pass'd in Council, viz. In Council *February 8th 1755*. Read again, together with the Answer of *Nathanael Sheffield*, and *Ordered*, That *John Otis*, Esq; with such as the honourable House shall join, be a Committee to consider of this Petition and Answer, hear the Parties, and report what they judge proper for this Court to do thereon.

Sent down for Concurrence.

Read and concur'd, and Capt. *Marsh*, and Col. *Brattle*, are joined in the Affair.

Ordered

Ordered, That Capt. *Spurr*, Mr. *Hall*, and Mr. *Bradbury*, be a Committee to consider and report what Part of the Province Tax laid upon the Town of *Stoughton* should be taken from thence, and laid on the Town of *Wrentham* in Consequence of fundry Families taken from *Stoughton* and annexed to *Wrentham*; as also what Part of the Tax of the Town of *Hallifax* should be added to *Pembroke*, in Consequence of the Families taken from *Hallifax* and annexed to *Pembroke*.

to consider
of *Stoughton*
and *Wren-*
tham &c.
Taxes.

The Committee appointed to prepare a Vote for the stopping Vessels laden with Provision &c. reported.

Report of
the Commit-
tee relating
to Provision-
Vessels &c.
and Vote
thereon.

Read and accepted, and is as follows, viz.

Voted, That the Impost Officer be forthwith directed and empowered to demand a particular Account on Oath of every Master of any Vessel that may come to his Office to clear out, of all Provisions & War-like Stores then on Board, or intended to be put on Board, and give Bond in the Sum of *One Thousand Pounds* Sterling, that the same shall be Landed in some Part of His Majesty's Dominions, and that he will return a Certificate thereof from the Collector or chief Officer of his Majesty's Customs at the Ports of Delivery; and when such are wanting, from the chief Magistrate of the Place of Delivery:

And whereas there may be Vessels already Cleared out which may have Provisions or Warlike Stores on Board:

It is further *Voted*, That His Excellency be desired to stop such Vessels, and prevent their sailing, till they have given Bond as aforesaid: And that his Excellency be desired, as soon as he thinks proper to write to the Governors or Commanders in Chief of the several Colonies on the Continent, to take effectual Care to prevent any Exportation of Provisions or Warlike Stores without Security being given as aforesaid.

Sent up for Concurrence.

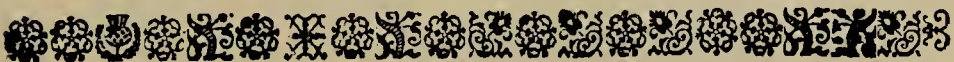
Samuel Watts, Esq; brought down the foregoing Vote, pass'd in Council, viz. In Council *February* 8th 1755. Read and concur'd with the Amendment, as taken into a new Draught.

Sent down for Concurrence.

Read and concur'd with the Amendment at A.

Sent up for Concurrence.

Then the House adjourn'd 'till Monday next three o'Clock Afternoon.



VOTES

Of the House of Representatives.



Lunæ 10. Die Februarii, A. D. 1755.

Bill Intituled *An Act to exempt Hemp of foreign Growth, also Goods which are the Property of the Inhabitants of other Governments imported from Great Britain, from paying the Duties of Impost.*

Bill engross'd.

Read a second and third Time and pass'd to be engross'd.

Sent up for Concurrence.

A Petition of *Cornelius Putnam*, and others, praying for Liberty to make Sale of about seventy five Acres of Land with the Appurtenances, lying in *Sutton*, which *William Perkins* of *Sutton*, deceased, died seized of, for the Reasons mentioned.

Petition of *Cornelius Putnam*.

Read and committed to *Col. Clap*, *Mr. Greenwood*, and *Capt. Williams*, to consider and report thereon.

A Petition of *John Sweet* of *Attleborough*, Son to *John Sweet*, late of said *Attleborough*, Gentleman, deceased, praying that *Henry Sweet*, Administrator to the said *John*, deceased, may be impowered to convey certain Lands to him in the Petition mentioned, for the Reasons therein given.

Petition of *John Sweet*.

Read and committed to *Col. Clap*, *Col. Storer*, and *Capt. Day*, to consider and report thereon.

Ordered, That a Message go up to the honourable Board to inform them, that it is the Desire of the House that the Committee, appointed to project a Method for the Redemption of the Captives, &c. sit forthwith.

Message to the Board.

Then the House adjourn'd 'till to Morrow Morning ten o'Clock.

Martis 11. Die Februarii, A. D. 1755.

THE Committee appointed on the Petition of *Cornelius Putnam*, and others, reported.

Report on Petition of *Cor. Putnam*.

Read and accepted, and thereupon Voted, That the Petitioner *Cornelius* and *Elisba Putnam*, in their Capacity, be and hereby are fully authorized and impowered to make Sale of the Lands and Buildings

N n n

mentioned

mentioned in the Petition, for the most the same will fetch, and to make and execute a good Deed or Deeds of the same, they observing the Directions of the Law respecting the Sale of Real Estates, provided also they give sufficient Caution to the Judge of Probate for the County of *Worcester*, that the Money arising by the Sale of the Premises be justly distributed to and among the Children and legal Representatives of *William Perkins*, late of *Sutton*, in the County of *Worcester*, deceased, according to Law ; two Thirds thereof immediately upon the Sale of said Estate, and the other Third at the Decease of the said *Elizabeth Putnam*, formerly the Wife of said *William Perkins*, deceased.

Sent up for Concurrence.

Report of a
Committee
relating to
the Redemp-
tion of Cap-
tives.

George Leonard, Esq; brought down the Report of a Committee of both Houses, which were appointed to consider of some proper Method for the Redemption of the Captives now in *Canada*: which is as follows ; viz. That they have attended said Service, and are humbly of Opinion, that it is not convenient at this Time, for the Court to employ any Person in purchasing the Captives, belonging to this Province now in *Canada*, it appearing to the Committee, that the Indians have by Means of such Purchases been encouraged to continue their Depredations upon our Frontiers: And the Committee are further of Opinion, no effectual Way can be projected to put an End to these Depredations, but revenging the Injury upon the Indians themselves, or upon those by whom they were employed.

Signed *Samuel Watts*, per Order.

Pass'd in Council, viz. In Council *February 11th 1755*.

Read and Ordered, That this Report be accepted.

Sent down for Concurrence. Read and concur'd.

Post Meridiem.

Report on
Petition of
John Shepard.

Samuel Watts, Esq; brought down the Petition of *John Shepard*.

Pass'd in Council, viz. In Council *Febr. 7th 1755*.

Read again, with the Answer of *Alexander Watts*, and Ordered, That the Prayer of the Petition be granted, and that the Petitioner be and hereby is impowered to bring forward his Writ of Review of the Action mentioned in the Petition, at the next Superiour Court of Judicature to be holden at *Ipswich* within and for the County of *Essex*, on the second Tuesday of *June* next ; and the Justices of the said Court are hereby impowered and directed to hear and try the Cause, enter up Judgment, and award Execution thereon, to all Intents and Purposes, as if said Default had not been made ; provided the said *John Shepard* give Bond in the Clerk's Office of the said Court to the adverse Party *Alexander Watts*, with sufficient Security, to Respond what may finally be adjudged due with Interest from this Day until paid. Sent down for Concurrence.

Read and non-concur'd, and Ordered, That the Petition be dismiss'd.

The House, according to Order, took under Consideration his Excellency's SPEECH. And after a Debate thereon, Committee to consider and report on Governor's Speech.

Ordered, That Mr. Speaker, Judge *Russell*, Col. *Brattle*, Col. *Choate*, and Capt. *Livermore*, with such as the honourable Board shall join, be a Committee to take under Consideration his Excellency's SPEECH of Friday last, and report what it may be proper for this Court to do thereon. Sent up for Concurrence.

George Leonard, Esq; brought down the Petition of *John Littlehale* and others. Pass'd in Council, viz. In Council *February* 10th 1755. *Petition of John Littlehale and others bro't down.*
Read and *Ordered*, That the Petitioners serve the Select-Men of the Town of *Dracut*, with a Copy of this Petition, that they shew Cause (if any they have) on Tuesday the fourth Day of *March* next, if the Court be then Sitting, if not, on the first Friday of the next Sitting of the Court, why the Prayer thereof should not be granted.

Sent down for Concurrence. Read and concur'd.

On a Motion made and seconded, *Ordered*, That the Impost Officer in taking Bonds to prevent the Exportation of Provisions &c. according to the Resolve of this Court of Saturday last, be directed to exempt Cod-Fish exported to *Europe* : And it is accordingly, *Voted*, That all Persons have free Liberty to export Cod-Fish as aforesaid, the said Order notwithstanding. *Impost Officer directed.*

Sent up for Concurrence.

Then the House adjourn'd 'till to Morrow Morning ten o'Clock.

Mercurii 12. Die Februarii, A. D. 1755.

THE Committee appointed on the Petition of *William Sturtevant*, as entred the 6th Instant, reported. *Report on Petition of Wm. Sturtevant.*

Read and accepted, and thereupon *Voted*, That the Petitioners *William Sturtevant*, and *Hezekiah Beers* in his said Capacity, be and hereby are fully authorized and impowered to make Sale of the Lands and Saw-Mill mentioned in the Petition, for the most the same will fetch ; and to make and execute a good Deed or Deeds of the same ; they observing the Directions of the Law respecting the Sale of Real Estates ; provided they give sufficient Caution to the Judge of Probate for the County of *Plymouth*, that the Money arising by the Sale of the Premisses, shall be distributed to and among the six Grandsons of *William Sturtevant*, late of *Hallifax* in the County of *Plymouth*, deceased, mentioned in the Petition, or their legal Representatives as they shall arrive at the Age of twenty-one Years, in equal Proportion ; and that the Money in the mean Time be put out to Interest, and that the Legacy given to the Widow of the deceased *William Sturtevant* of three Pounds six Shillings and eight Pence be paid out of the same during her Widowhood, and the Overplus of the Interest (if any there be) be apply'd equally for the Use and Benefit of the said six Grandsons, and their legal Representatives.

Sent up for Concurrence.

Sundry

Petitions of Sundry Petitions of the *Natick* Indians, viz. *Job Comecho*, *Daniel Thomas*, *Cæsar Ferret*, and *Eunice Brooks*; all praying for Liberty to make Sale of their Lands.

Read and committed to Mr. *Tyng*, Mr. *Powell*, and Mr. *Welles*, to consider and report thereon.

Petition of A Petition of *Margaret Stratten* of *Lincoln*, Widow, and others, praying for Liberty to make Sale of the Real Estate that *Jabez Stratten*, late of said *Lincoln*, deceased, died seized of, for the Reasons mentioned.

Read and committed to Capt. *Livermore*, Col. *Clap*, and Capt. *Tyler*, to consider and report thereon.

Letters to the Governor bro't down. The Deputy Secretary brought down from his Excellency the Governour sundry Letters, which he had received in the Recess of the Court: Which were read.

Post Meridiem.

Petition of *John Hill*, Esq; brought down the Petition of *Abigail Whitney*. Pass'd in Council, viz. In Council *February* 12th 1755. Read again, together with the Answer of *Solomon Whitney*, and thereupon Ordered, That *John Otis*, Esq; with such as the honourable House shall join, be a Committee to consider of this Petition, and the other Papers, hear the Parties, and report what they judge proper to be done thereon. Sent down for Concurrence.

Read and non-concur'd, and Ordered, That the Petition be dismiss'd.

Petition of *Samuel Watts*, Esq; brought down the Petition of *Joseph Plaisted*, pass'd in Council, viz. In Council *February* 12th 1755. Read again, together with the Answer of the Executors of *Samuel Walton*, deceased, and Ordered, That *Stephen Greenleaf* and *Benjamin Lincoln*, Esqrs; with such as the honourable House shall join, be a Committee to consider this Petition, hear the Parties, and report what they judge proper for this Court to do thereon.

Sent down for Concurrence.

Read and concur'd, and Col. *Hale*, Mr. *Bradbury*, and Mr. *Niles*, are joined in the Affair.

Order relating to Arms. Ordered, That Mr. *Tasler*, Col. *Otis*, and Mr. *Welles*, be a Committee to consider of some Method for the better Arming the Inhabitants of this Province.

Then the House adjourn'd 'till to Morrow Morning ten o'Clock.

Jovis Die 13. Februarii, A. D. 1755.

Mr. *Haywood* on a Committee.

ON a Motion made and seconded, Ordered, That Mr. *Phineas Haywood*, be of the Committee to Farm out the Excise on spirituous Liquors in the County of *Worcester* in the Room of Capt. *Ruggles*, who desires to be excused. Sent up for Concurrence.

Isaac

Isaac Royall, Esq; brought down the Petition of *Francis Brindley*, Petition of Esq; and others. Pass'd in Council, viz. In Council *February 12th* *Fran. Brindley*, Esq; and others bro't down. 1755. Read again, together with the Answer of *Joseph Buckminster*, Esq; and other Papers, and Ordered, That *John Otis*, and *Benjamin Lincoln*, Esqrs; with such as the honourable Board shall join, be a Committee to consider this Petition, with the Answers and other Papers, hear the Parties, and report what they judge proper for this Court to do thereon. Sent down for Concurrence.

Read and concur'd, and Col. *Brattle*, Col. *Choate*, and Capt. *Ruggles*, are joined in the Affair.

Ordered, That the Sum of *two Hundred & fifty Pounds* be granted and allowed to be paid out of the public Treasury to the Reverend *Edward Holyoke*, President of *Harvard-College*, over and above the Rents of the *Massachusetts-Hall*, for one Year, ending the tenth Day of *September* next, to be paid quarterly. President's Grant.

Sent up for Concurrence.

Ordered, That there be granted and allowed to be paid out of the public Treasury to the Reverend Dr. *Edward Wigglesworth*, Hollisian-Professor of Divinity at *Harvard-College* in *Cambridge*, the Sum of *One Hundred Pounds*, as a Gratuity in Consideration of his faithful Discharge of the great and important Trust reposed in him; and for his further Encouragement therein. Hollisian-Professor of Divinity.

Sent up for Concurrence.

Ordered, That there be granted and allowed to be paid out of the public Treasury to *John Winthrop*, Esq; Hollisian-Professor of the Mathematicks at *Harvard-College* in *Cambridge*, the Sum of *One Hundred Pounds*, as a Gratuity in Consideration of his faithful Discharge of that Trust reposed in him; and for his further Encouragement therein. Hollisian-Professor of the Mathematicks.

Sent up for Concurrence.

Ordered, That there be granted and allowed to be paid out of the public Treasury to R. *Judah Monis*, Hebrew-Instructor at *Harvard-College* in *Cambridge*, the Sum of *Twenty Pounds*, as a Gratuity in Consideration of his faithful Discharge of that Trust reposed in him, and for his further Encouragement therein. Hebrew Professor.

Sent up for Concurrence.

Post Meridiem.

On a Motion made and seconded, Ordered, That Col. *Choate*, Col. *Hale*, and Capt. *Williams*, be a Committee to prepare and bring in a Bill in Addition to and Explanation of the Act granting an Excise on spirituous Liquors &c. made and pass'd the last Session. Committee for a Bill.

Ordered, That Mr. *Spaulding* do the Duty of a Monitor of the House, in the Room of Capt. *Marcy*, who is absent. Monitors.

Ordered, That Capt. *Richardson* do the Duty of a Monitor of the House, in the Room of Major *Reed*, who is absent.

Ordered, That Capt. *Edson* do the Duty of a Monitor of the House.

Message from the Governor. A Message from his Excellency the Governour by Mr. Secretary, viz.

Mr. Speaker, His Excellency directs the Attendance of the honourable House in the Council Chamber.

Mr. Speaker and the House went up accordingly : When his Excellency was pleased to make a SPEECH to both Houses ; of which Mr. Speaker obtained a Copy : And then with the House returned to their own Chamber.

Order on Governor's Speech. Read and Ordered, That his Excellency's SPEECH be considered to Morrow Morning ten o'Clock ; and all the Members are enjoined to attend at said Time.

Ordered, That his Excellency the Captain-General be desired to lay an Embargo on all the Fishing Vessels that go to the Banks, which are in the several Ports in this Province until the first of March next. Sent up for Concurrence.

Governour desir'd to lay an Embargo &c. *Sylvanus Bourn*, Esq; brought down a Petition of *Francis Johnson* and *Timothy Fitch*. Pass'd in Council, viz. In Council February 13th 1755. Read and Ordered, That the Prayer of the Petition be granted, and that the Impost Officer be and hereby is directed to take Security from the Petitioners, that no Part of the Cargo mentioned in the Petition be landed in any Part of the French Islands, and that no Part thereof be traded with the French King's Subjects ; and upon their giving such Security the said Schooner may proceed on her Voyage. Sent down for Concurrence.

Petition of *Tho. Glover*. Read and unanimously non-concur'd, and Ordered, That the Petition be dismiss'd.

A Petition of *Thomas Glover* of *Dorchester*, praying that two Clauses in an Act Intitl'd *An Act for the settling and Distribution of the Estates of Intestates*, may be explained and ascertained, for the Reasons mentioned.

Read and committed to Col. *Otis*, Col. *Choate*, and Mr. *Welles*, to consider and report thereon.

Report on a Bill. *John Tasker*, Esq; from the Committee appointed to bring in a Bill in Addition to an Act Intitl'd *An Act for supplying the Treasury with the Sum of Twenty three Thousand Pounds &c.* reported a Bill ; which he read, and laid on the Table.

Then the House adjourn'd 'till to Morrow Morning nine o'Clock.

Veneris 14. Die Februarii, A. D. 1755.

Petition of *David Parker*. A Petition of *David Parker* of *Malden*, Guardian to *Samuel Nichols*, a Minor, praying for Liberty to sell Part of the said Minor's Real Estate, for the Reasons mentioned.

Read and Ordered, That Col. *Brattle*, Col. *Lawrence*, and Capt. *Richardson*, with such as the honourable Board shall join, be a Committee to consider the said Petition, and report thereon.

A Petition of *Thomas Greenwood* of *Newton*, Guardian to Mrs. *Petition of Ann Allen*, a Minor, praying for Liberty to make Sale of the Real *Tho. Greenwood* Estate of the said *Ann*, for the Reasons mentioned.

Read and Ordered, That *Col. Brattle*, *Col. Lawrence*, and *Mr. Gibbs* of *Newton*, with such as the honourable Board shall join, be a Committee to consider the Petition, and report thereon.

A Petition of *Amos Parling* of *Carlisle*, a Soldier in the late Expedition, praying he may be allowed his Doctoring & Nursing, while sick, for the Reasons mentioned. *Petition of Amos Parling.*

Read and committed to *Col. Hale*, *Mr. Niles*, and *Col. Lawrence*, to consider and report thereon.

A Petition of *Henry Woods* of *Groton*, a Soldier in the late Expedition, praying for a further Allowance for his Charges while sick, for the Reasons mentioned. *Petition of Henry Woods.*

Read and committed to *Col. Hale*, *Mr. Niles*, and *Col. Lawrence*, to consider and report thereon.

John Hill, Esq; brought down the Petition of *Aaron Plumer*. *Petition of Aaron Plumer* Pass'd in Council, viz. In Council February 13th 1755. Read again, together with the Answer of *William Wentworth*, and Ordered, That *Sylvanus Bourn*, Esq; with such as the honourable House shall join, be a Committee to take this Petition and Answer, with the other Papers, under Consideration, hear the Parties, and make Report what they judge proper for this Court to do thereon. [Wentworth]

Sent down for Concurrence.

Read and concur'd, and *Col. Prebble*, and *Mr. Bradbury*, are joined in the Affair.

A Bill Intitl'd *An Act in Addition to an Act for supplying the Treasury with the Sum of Twenty three Thousand Pounds &c.* *Bill engross'd.*

Read a second and third Time, and pass'd to be engross'd.

Sent up for Concurrence.

According to the Order of the Day, the House took under Consideration his Excellency's SPEECH of Yesterday, and after a large Debate thereon, Ordered, That the further Consideration thereof be referred 'till three o'Clock Afternoon. *Debate and Order on Governor's Speech.*

Post Meridiem.

A Petition of *John Hoppen* of *Cumberland*, Administrator on the Estate of *Benjamin Hoppen*, late of *Attleborough*, deceased, praying for Liberty to make Sale of about twelve Acres of Land the said *Benjamin* died seized of, for the Reasons mentioned. *Petition of John Hoppen.*

Read and committed to *Mr. Foster*, *Col. Storer*, and *Col. Miller*, to consider and report thereon.

The House again took under Consideration his Excellency's SPEECH of Yesterday, and after a Debate had thereon, *Committee on Governor's Speech* Ordered, That *Mr. Speaker*, *Judge Russell*, *Col. Brattle*, *Col. Choate*, *Capt. Livermore*, *Col. Otis*, *Mr. Welles*, *Col. Hale*, *Mr. Tyng*, *Mr. Witt*, *Col. Richards*, *Thomas Foster*, Esq; *Capt. Ruggles*, *James Bowdoin*, Esq; *Col. Partridge*, and *Mr. Tasfer*, with such as the honourable

able Board shall join, be a Committee to take under Consideration, his Excellency's SPEECH of Yesterday, and report thereon ; and that the said Committee sit forthwith. Sent up for Concurrence.

Committee
for Inquiry.

Ordered, That Mr. *Quincy*, Capt. *Williams*, and Mr. *Hale*, be a Committee to make particular Inquiry respecting the Lading of a certain Vessel lately come into the Harbour of *Boston*, said to be laden with Provisions bound to *Cape Breton* ; and if said Report prove true, to report the same to his Excellency the Governour, that the said Vessel may be stop'd.

Then the House adjourn'd 'till to Morrow Morning ten o'Clock.

Sabbati 15. Die Februarii, A. D. 1755.

Petition of
Tho. Gilbert
bro't down.

Sylvanus Bourn, Esq; brought down the Petition of *Thomas Gilbert*, Agent of the first Precinct in *Brookfield*. Pass'd in Council, viz. In Council *Febr.* 15th 1755. Read again, with the Answer of the third Precinct in *Brookfield*, and other Papers in the Case, and *Ordered*, That *Samuel Danforth*, Esq; with such as the honourable House shall join, be a Committee to consider the Petition, hear the Parties, and report what they judge proper for this Court to do thereon. Sent down for Concurrence.

Read and concur'd, and Capt. *Livermore*, and Col. *Storer*, are joined in the Affair.

Committee
on the Em-
bargo.

Ordered, That *Thomas Foster*, Esq; Mr. *William Bowdoin*, and Col. *Hale*, be a Committee to consider and report what further may be necessary to be done to render effectual the Embargo upon Fishing Vessels, and that it be extended to the 15th of *March* next.

Petition of
Stephen Paine
bro't down.

Sylvanus Bourn, Esq; brought down the Petition of *Stephen Paine* of *Malden*. Pass'd in Council, viz. In Council *February* 15th 1755. Read again, together with the Answer of the South Parish in *Malden*, and *Ordered*, That *John Greenleaf*, Esq; with such as the honourable House shall join, be a Committee to take this Petition & Answer under Consideration, hear the Parties, and report what they judge proper for this Court to do thereon. Sent down for Concurrence.

Read and concur'd, and *Thomas Foster*, and *Henry Gibbs* of *Salem*, Esqrs; are joined in the Affair.

Mr. Deputy Secretary brought down a Message from his Excellency the Governour to both Houses.

Which is as follows, viz.

Message &c.
from the
Governor.

Gentlemen of the Council and House of Representatives,
I Now lay before you some Intelligence which I received last Night from Brigadier *Dwight*, for the Particulars of which I refer you to his Letter. If it is well founded, as there seems no Room to Doubt but that it is, it is in my Apprehension very Alarming : What other reasonable Conclusion can we form from the French's extending their Incroachments beyond Crown-Point, and their further Invasion of his Majesty's Territories by attempting to carry up a Fort into them as high as the Carrying-Place ; than that they are making Preparations to render themselves Masters of that Part of the Country ?

How necessary therefore is it, Gentlemen, that we should be speedy in our Councils and Measures for defeating these dangerous Attempts ? The Season is advanced ; the French coming on, it will be too late for us to attempt what I proposed in my Speech of the 13th Instant, when the French have built a Fort at the Carrying-Place.

I hope, Gentlemen, you will not lose an Hour's Time in considering and coming to a Determination upon what I have there recommended to you.

Council Chamber

W. S H I R L E Y.

Feb. 15. 1755.

Which was read.

The Deputy Secretary also laid on the Table the Letter referred to in his Excellency's Message from Brigadier *Dwight*, Which was also read.

Voted, That his Excellency the Captain-General be desired further to extend the Embargo on Fishing Vessels that go to the Banks, until the fifteenth of *March* next. Sent up for Concurrence. Vote relating to the Embargo.

On a Motion made and seconded, *Ordered*, That a Message go up to the honourable Board, and acquaint them that the House propose to sit this Afternoon, and Monday in the Forenoon, and desire the Board will also sit. Message to the Board.

Post Meridiem.

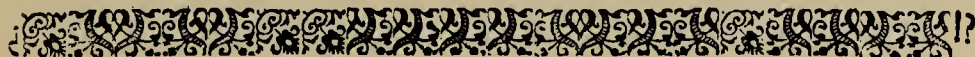
A Bill Intituled *An Act in Addition to and for rendering more effectual an Act made and passed in the 28th Year of his Majesty's Reign* Intituled *An Act for granting unto his Majesty an Excise upon Spirits distilled and Wine, and upon Limes Lemmons and Oranges.* Bill read.

Read a first Time, and *Ordered*, That the Bill have a second Reading Tuesday next three o'Clock Afternoon.

The Secretary brought down a Message from his Excellency the Governour : Which he read and laid on the Table. Message from the Governor.

The House took into Consideration his Excellency's Message : And after a Debate thereon, *Ordered*, That the said Message be committed to the Committee of both Houses appointed on his Excellency's SPEECH of the 13th Instant, to consider and report thereon. Order thereon.

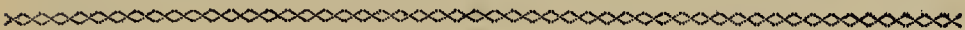
Then the House adjourn'd 'till Monday Morning ten o'Clock.





VOTES

Of the House of Representatives.



Lunæ 17. Die Februarii, A. D: 1755.

***** Petition of *Oliver Abbot*, praying that the Court of Sessions for the County of *Middlesex*, may be impow- Petition of
Oliver Abbot.
***** A ***** red to Licence him a Retailer &c. for the Reasons
***** mentioned.

***** Read and Ordered, That the Prayer of the Petition be granted, and that the Justices of the Court of General Sessions of the Peace for the County of *Middlesex* at their next Term, be and hereby are empowered, if they see fit, to Licence the Petitioner *Oliver Abbot*, a Retailer of spirituous Liquors in the Town of *Billerica*, he first obtaining the Approbation of the Select-Men of said Town, the Time for granting of Licences being elapsed notwithstanding.

Sent up for Concurrence.

Ordered, That Col. *Otis*, Mr. *Hale*, Mr. *Hobson*, Capt. *Ruggles*, Committee
for a Bill.
Nathanael Russell, Esq; Col. *Brattle*, Capt. *Smith*, Capt. *Kidder*, Mr. *Greenleaf*, Mr. *Spaulding*, and Mr. *Niles*, be a Committee to prepare and bring in a Bill further to regulate the taking of Fish in the several Rivers and Streams in this Government.

Ordered, That Mr. *Welles*, Col. *Brattle*, and Col. *Otis*, be a Com- Committee
on Embargo
mittee to prepare a Vote further to extend the Embargo on Shipping.

A Petition of *Ebenezer Johnson* of *Woburn*, praying he may be impowered to bring forward a Writ of Review of his Cause with Petition of
Eben. John-
son.
Seth Ross, to the next Superiour Court of Judicature to be holden at *Cambridge* on the first Tuesday of *August* next, for the Reasons mentioned.

Read and committed to *Thomas Foster*, *Caleb Cushing*, and *Nath. Russell*, Esqrs; to consider and report thereon.

A Petition of *Joseph Abbee* of *Hopkington*, praying this Court would set aside an Award of certain Arbitrators in a Cause between Petition of
Joseph Abbee.
him and *Samuel Thayer* of *Mendon*, for the Reasons mentioned.

Read and *Ordered*, That the Petitioner serve the adverse Party with a Copy of this Petition, that he shew Cause, if any he have, on the fourth Day of *March* next, if the Court be then Sitting, if not, on the first Friday of the next Sitting of the Court, why the Prayer thereof should not be granted.

Sent up for Concurrence.

Message
from his Ex-
cellency.

A Message from His Excellency the Governour by Mr. Secretary, to both Houses: Which the Secretary read, and laid on the Table; and is as follows, *viz.*

Gentlemen of the Council and House of Representatives,
Having received Intelligence from Capt. Bradbury of the Removal of the Penobscot Indians to a greater Distance from our Truck-House at St. George's, thro' the Artifices of the French Jesuit, and the imminent Danger there is of a War in that Quarter, I have ordered the Secretary to lay the Letters themselves before you, for your Advisement upon this Affair.

Febr. 17th 1755.

W. SHIRLEY.

Read and *Ordered*, That Col. Choate, Col. Storer, Col. Lawrence, Mr. Tyng, and Capt. Ruggles, with such as the honourable Board shall join, be a Committee to take the said Message under Consideration, and report thereon, and that the said Committee make particular Enquiry into the State of Fort *Hallifax* on *Kennebeck-River*.

Post Meridiem.

Report of a
Committee
relating to
the Embargo

The Committee appointed to prepare a Vote further to extend the Embargo upon Shipping &c. reported.

Read and accepted, and *Voted*, That His Excellency the Governour be desired to give Orders for preventing all Vessels whose Cargo, or any Part thereof, consists of any Provisions or Warlike Stores (dry Cod-Fish only excepted) proceeding to Sea, for the Term of twenty six Days; and that such Orders may be more effectual, his Excellency is requested to give Directions to all Officers in the Custom-House, Impost and Naval Offices, and Officers in the Forts accordingly; and where there are not such Officers, the Select-Men of any Town where there is any Sloop or other Vessel bound to Sea, having a Cargo consisting in any Part of Provisions or Warlike Stores, are hereby impowered and required to take off the Sails and secure them for the Term aforesaid.

Sent up for Concurrence.

Then the House adjourn'd till to Morrow Morning ten o'Clock.

Martis 18. Die Februarii, A. D. 1755.

Petition of
Braintree
Committee.

A Petition of a Committee of the Town of *Braintree*, praying that the Justices of the General Sessions of the Peace for the County of *Suffolk*, may be impowred to assess the said County for Part of the Charge of building the Bridge lately erected over *Manataquod-River* in the Town of *Braintree*, for the Reasons mentioned.

Read and committed to Col. Choate, Col. Brattle, and Judge *Russell*, to consider and report thereon.

A

A Memorial of *Thomas Hutchinson*, Esq; representing that he was directed by the General Assembly in the Year 1745, to become Responsible to *John Henry Lydius*, Esq; of the City of *Albany*, for the Payment of any Sum that he should Advance for the securing the Indians of the *Six Nations* in his Majesty's Interest &c. praying that he may be discharged agreeable to his Account threewith presented. Memorial of
Tho. Hutchinson, Esq;

Read and committed to *James Bowdoin*, Esq; *Mr. Welles*, and *Col. Partridge*, to consider and report thereon.

An engross'd Bill Intituled *An Act in Addition to an Act made and passed this present Year of his Majesty's Reign Intituled An Act for supplying the Treasury with the Sum of Twentythree Thousand Pounds for discharging the publick Debts, and for the drawing the same into the Treasury.* Bill enacted.

Read and Resolved, That the Bill pass to be enacted.

A Bill Intituled *An Act in Addition to and for rendering more effectual an Act made and passed this present Year Intituled An Act for granting unto his Majesty an Excise upon Spirits distilled and Wine. and upon Limes Lemmons and Oranges.* Bill engross'd.

Read a second and third Time and pass'd to be engross'd.

The Deputy Secretary brought down a Letter from his Excellency the Governour, which he received from Brigadier *Dwight*, dated *Sheffield*, Febr. 13th 1755. Letter from
Brigadier
Dwight.

Read and Ordered, That *Mr. Welles*, *Col. Choate*, and *Capt. Livermore*, with such as the honourable Board shall join, be a Committee to take the said Letter under Consideration, and report what it may be proper for the Court to do thereon.

Post Meridiem.

A Petition of *John Holbrook*, Jun. of *Braintree*, in the County of *Suffolk*, praying that the Court of Sessions for said County may be impowered to Licence him a Retailer of spirituous Liquors, for the Reasons mentioned. Petition of
John Holbrook

Read and Ordered, That the Prayer of the Petition be granted, and that the Justices of the Courts of General Sessions of the Peace for the County of *Suffolk* at their next Term, be and hereby are impowered, if they see fit, to Licence the Petitioner to be a Retailer of spirituous Liquors in the Town of *Braintree*, he obtaining the Approbation of the Select-Men of the said Town, the Time for granting Licences being elapsed notwithstanding.

Sent up for Concurrence.

Ordered, That *Col. Choate*, Judge *Russell*, *Col. Otis*, *Col. Brattle*, and *Mr. Welles*, be a Committee to prepare and bring in a Bill to prevent the Multiplicity of private Petitions to the General Court. Committee
for a Bill.

John Otis, Esq; brought down a Bill Intituled *An Act for the more effectual carrying into Execution such Orders as shall at any Time be given by his Majesty's Governour or Commander in Chief at the Desire of the two Houses of Assembly, or of the Council, the General Court not Sitting, for restraining Vessels from sailing to any Parts without the Province.* Bill brought
down.

vince. In Council *February* 18th 1755. Read a first and second Time, and pass'd to be engross'd. Sent down for Concurrence.

Read a first second and third Time, and pass'd a Concurrence with the Amendments at A,B,& C. Sent up for Concurrence.

Bill engross'd.

A Bill Intituled *An Act for appointing Assayers of Pot-Ash and Pearl-Ash*. Read a first second and third Time, and pass'd to be engross'd. Sent up for Concurrence.

Petition of Select-Men of *Dunstable* bro't down.

Isaac Royall, Esq; brought down the Petition of the Select-Men of the Town of *Dunstable*. Pass'd in Council, viz. In Council *February* 18th 1755. Read again, and Ordered, That *John Hill* and *Benjamin Lincoln*, Esqrs; with such as the honourable House shall join, be a Committee to consider this Petition, the Petition of *Eleazer Tyng*, Esq; &c. the Petition of *Jonathan Tyng*, &c. and the Papers accompanying the same, hear the Parties, and report what they judge proper for this Court to do thereon.

Sent down for Concurrence.

Read and concur'd, and Col. *Choate*, Col. *Otis*, and *Thomas Foster*, Esq; are joined in the Affair.

Report on Petition of *John Hoppen*.

The Committee appointed on the Petition of *John Hoppen*, as entred the fourteenth Instant, reported. Read and accepted, and Voted, That the Prayer of the Petition be granted, and that the Petitioner in his Capacity be and hereby is impowered to sell the Land mentioned in the Petition, to make and execute a sufficient Deed or Deeds of said Land to such Person or Persons as shall purchase the same, provided the Petitioner observe the Directions of the Law respecting Executors and Administrators selling of Lands, and give sufficient Caution to the Judge of Probate for the County of *Bristol*, to Account for the Produce thereof according to Law.

Sent up for Concurrence.

Plan of Land presented for Allowance.

A Plan of four Hundred Acres of Land laid out by *Joseph Chadburne*, Surveyor, and Chain-men on Oath, to satisfy a Grant made to Capt. *Joseph Bean*, was presented.

Read and Ordered, That the Plan be accepted, and the Lands therein delineated and described be and hereby are confirmed to the Heirs of the said Capt. *Bean*, provided it does not exceed the quantity of four Hundred Acres, nor interfere with any former Grant.

Sent up for Concurrence.

Petition of *Tho. Greenwood* bro't down.

John Otis, Esq; brought down the Petition of *Thomas Greenwood*. Pass'd in Council, viz. In Council *Febr.* 15th 1755. Read and Ordered, That the Prayer of the Petition be granted, and that the Petitioner be and hereby is impowered in his said Capacity to make Sale of the Estate mentioned in the Petition, and to make and execute in due Form of Law a good and sufficient Deed or Deeds of the Premises, to such Person or Persons as shall give most for the same, he observing the Directions of the Law respecting the Sale of Real Estates by Executors or Administrators, provided he give sufficient Caution to the Judge of Probate for the County of

of *Middlesex*, that the Neat Produce and the Interest thereof shall be paid to the said Minor when she shall arrive at the Age of twenty one Years or be married, which shall first happen, except what shall be necessary for her Support during that Time.

Sent down for Concurrence.

Read and concur'd.

Then the House adjourn'd 'till to Morrow Morning ten o'Clock.

Mercurii 19. Die Februarii, A. D. 1755.

ON a Motion made and seconded, *Ordered*, That the House will take under Consideration the Services of *Harrison Gray*, Esq; as Treasurer and Receiver-General of the Province, at three o'Clock this Afternoon.

Order relating to Treasurer's Grant

John Otis, Esq; brought down the Petition of the Representative of the Town of *Lunenburg*. Pass'd in Council, viz. In Council *Febr.* 14th 1755. Read again; and it appearing that the Petitioner has followed the Directions of this Court of the fourth of *December* last, and no Answer being given in: Therefore

Order on Petition of the Representative of the Town of *Lunenburg*.

Ordered, That the Prayer of the Petition be so far granted, as that the Assessors of the said Town, be and hereby are empowered to assess the Lands of the Non-resident Proprietors in said Town for three Years next ensuing *one half Penny* for each Standard Acre per Annum, and the Collector or Collectors, Constable or Constables to whom the said Assessments shall be committed, are hereby empowered and directed to collect the same, and in Case of Refusal or Non-payment (after due Notice being given) to follow the Directions of the Law in such Cases already provided.

Sent down for Concurrence.

Read and concur'd.

The Committee appointed on the Petition of *Ebenezer Johnson*, reported. Read and accepted, and *Ordered*, That the Prayer of the Petition be granted, and that the Petitioner be and hereby is empowered to bring his Writ of Review of the Action mentioned in the Petition to the next Superiour Court of Judicature to be holden at *Cambridge*, in the County of *Middlesex*, on the first Tuesday of *August* next, and the Justices of the said Court, be and hereby are empowered and directed to hear and try the said Cause accordingly, give Judgment therein, and award Execution thereon.

Report on Petition of *Eben. Johnson*

Sent up for Concurrence.

A Petition of *Thomas Fleet*, and others, Printers, praying that the Stamp-Duty may be taken off from News Prints, for the Reasons mentioned.

Petition of *Thomas Fleet*, &c.

Read and *Ordered*, That the Petition be dismiss'd.

Ordered, That the Petitions of Mr. *Josiah Quincy* and Mr. *Nathaniel Cunningham*, lie on the Table, for further Consideration.

Committee
on the Fifth
Bill.

A Bill Intitled *An Act for the Encouragement of the Cod-Fishery.*
Read a first Time, and committed to Col. *Otis*, Col. *Hale*, Col. *Choate*, Mr. *Tasker*, *Thomas Foster*, Esq; Mr. *Quincy*, Mr. *Stevens*, *James Bowdoin*, Esq; Mr. *James Russell*, Mr. *Barrow*, Mr. *Bradbury*, Col. *Storer*, and Col. *Prebble*, to consider of the same, and report the next Sitting.

Committee
for a Bill.

Ordered, That Mr. *James Russell*, *Thomas Foster*, Esq; Mr. *Welles*, Col. *Otis*, and Mr. *Whitcomb*, be a Committee to consider what further may be done to prevent Deceit in packing Fish &c.

Petition of
Sam. Adams
bro't down.

John Erving, Esq; brought down the Petition of *Samuel Adams*, and *John Glenna*. Pass'd in Council, viz. In Council *Febr.* 18th 1755. Read and Ordered, That the Petitioners serve the Select-Men of the Town of *Westford* with a Copy of this Petition, that they shew Cause, if any they have, on Tuesday the fourth of *March*, if the Court be then Sitting, if not, on the first Friday of the next Sitting of the Court, why the Prayer thereof should not be granted.

Sent down for Concurrence.

Read and concur'd with the Amendment at A and B.

Sent up for Concurrence.

Petition of
Tho. Cushing
&c. bro't
down.

Joseph Pyncheon, Esq; brought down the Petition of *Thomas Cushing*, and *Beza Cushing*. Pass'd in Council, viz. In Council *Febr.* 18th 1755. Read and Ordered, That *John Cushing*, and *Thomas Hutchinson*, Esqrs; with such as the honourable House shall join, be a Committee to take the Subject-Matter of this Petition under Consideration, and report such Provision to be made by this Court as they shall think proper as a general Remedy for Cases of this Nature.

Sent down for Concurrence.

Read and non-concur'd, and Ordered, That the Petitioners serve the adverse Party *Adam Cushing*, that he shew Cause, if any he have, on Wednesday next, if the Court be then Sitting, if not, on the first Wednesday of the next Sitting of the Court, why the Prayer thereof should not be granted.

Sent up for Concurrence.

Vote for a
Committee
to prepare a
Bill.

James Minot, Esq; brought down the Vote appointing a Committee to prepare a Bill for the better Manufacturing of Leather, &c. Pass'd in Council, viz. In Council *Febr.* 18th 1755. Ordered, That *John Otis* Esq; be of the Committee in the Room of *Stephen Sewall*, Esq;

Sent down for Concurrence.

Read and concur'd.

Bill report-
ed.

The Committee on the Petition of the Town of *Braintree*, Reported a Bill Intitled *An Act to regulate and duly proportion the Charge of Building and Rebuilding Bridges.* Which was read a first Time.

And Ordered, That the Bill have a second Reading four o'Clock Afternoon.

Report on
Petition of
Rev. Mr.
Edwards.

The Committee appointed last Sitting on the Petition of the Rev. Mr. *Jonathan Edwards* of *Stockbridge*, as entred *January* 2d. reported. Which was read. And thereupon

Voted,

Voted, That there be allowed and paid out of the publick Treasury to the Petitioner the Sum of *eighteen Pounds ten Shillings*, in full Discharge of his Account mentioned in the Petition.

Sent up for Concurrence.

A Petition of *John Miller, Ebenezer Kent, Nathanael Gorham, and Samuel Kettle*, of *Charlestown*, praying that the Court of Sessions for the County of *Middlesex*, be impowered to Licence them Retailers of spirituous Liquors, for the Reasons mentioned. Petition of
Eben. Miller
and others
for Licences.

Read and *Ordered*, That the Prayer of the Petition be granted, and that the Justices of the Court of General Sessions of the Peace for the County of *Middlesex*, be and hereby are impowered, if they think fit, at their next Term, to Licence the Petitioners, Retailers of spirituous Liquors in the Town of *Charlestown*, they obtaining the Approbation of the Select-Men of said Town, the Time for granting Licences being elapsed notwithstanding.

Sent up for Concurrence.

A Petition of *John Nash* of *Weymouth* in the County of *Suffolk*, praying that the Court of Sessions may be impowered to Licence him an Innholder, for the Reasons mentioned Petition of
John Nash

Read and *Ordered*, That the Prayer of the Petition be granted, and that the Justices of the Court of General Sessions of the Peace for the County of *Suffolk*, at their next Term, be and hereby are impowered, if they think fit, to Licence the Petitioner an Innholder in the Town of *Weymouth*, he obtaining the Approbation of the Select-Men of said Town, the Time for granting of Licences being elapsed notwithstanding.

Sent up for Concurrence.

Isaac Royall, Esq; brought down the Petition of *James Gilmore*, Jun. Pass'd in Council, viz. In Council *Febr. 14th 1755*. Read again; and it appearing that the adverse Party *George Morey*, has been served with a Copy of this Petition, and no Answer being given in; *Ordered*, That the Prayer of the Petition be granted, and that the Petitioner hereby is impowered to prosecute his Appeal from the Judgment of *John Godfrey*, Esq; to the Court of General Sessions of the Peace to be holden at *Taunton* within and for the County of *Bristol*, on the second Tuesday of *March* next, and the Justices of said Court are hereby impowered and directed to hear and try the said Appeal, enter up Judgment, and award Execution thereon, in as ample a Manner to all Intents and Purposes as if the said Petitioner had followed the Steps of the Law relating to Appeals. Petition of
James Gilmore, bro't
down

Sent down for Concurrence.

Read and concur'd with the Amendment at A.

Sent up for Concurrence.

A Petition of *Ruth Fits*, of the District of *Danvers*, praying that the Court of Sessions for the County of *Essex* may be impowered to Licence her a Retailer of spirituous Liquors in the House she now lives, for the Reasons mentioned. Petition of
Ruth Fits

Read and *Ordered*, That the Prayer of the Petition be granted, and that the Justices of the Court of General Sessions of the Peace
for

for the County of *Essex*, at their next Term, be and hereby are impowered, if they think fit, to Licence the Petitioner a Retailer of spiritous Liquors in the House she now lives, she obtaining the Approbation of the Select-Men of said *Danvers*, the Time for granting of Licences being elapsed notwithstanding.

Sent up for Concurrence.

Petition of
the Town
of *Framing-*
ham.

A Petition of sundry Inhabitants of *Framingham*, praying that this Court would dismiss a Petition now lying before them, signed by sundry Inhabitants of *Framingham*, who pretend that they are Proprietors of a certain Tract of Land in said Town called the *Neck*, for the Reasons mentioned.

Read and *Ordered*, That this Petition be committed to the Committee to whom the other Petition was committed.

Sent up for Concurrence.

Further
grant to the
Treasurer.

Ordered, That the Sum of *sixty six Pounds thirteen Shillings and four Pence*, be granted and allowed to be paid out of the public Treasury to *Harrison Gray*, Esq; Treasurer and Receiver-General of his Majesty's Revenues of this Province, in Addition to the Grant already made him, for one Year's Service, ending the 23d of *December* last.

Sent up for Concurrence.

Petition of
Elhanan Win-
chester, &c.

A Petition of *Elhanan Winchester* of *Brookline*, and others, praying for Liberty to make Sale of a certain House and Garden-Spot in *Roxbury*, belonging to the Estate of *Elhanan Winchester*, late of *Roxbury*, deceased, for the Reasons mentioned.

Read and committed to Col. *Bradford*, *Thomas Foster*, Esq; and Mr. *Jones*, to consider and report thereon.

Bill brought
down.

Isaac Royall, Esq; brought down a Bill Intituled *An Act in further Addition to the several Laws already in Being for the more speedy finishing the Land-Bank or Manufactory-Scheme*: With a Vote of Council thereon, viz. In Council *Febr.* 19th 1755. Read and *Ordered*, That *Andrew Oliver* and *Thomas Hutchinson*, Esqrs; with such as the honourable House shall join, be a Committee to take the same under Consideration, and report thereon. Sent down for Concurrence.

Read and concur'd, and Col. *Otis*, Col. *Brattle*, and Mr. *Tyng*, are joined in the Affair.

Bill enacted.

An engross'd Bill Intituled *An Act for the more effectual carrying into Execution such Orders as shall at any Time be given by his Majesty's Governour or Commander in Chief at the Desire of the two Houses of Assembly, or of the Council, the General Court not Sitting, for restraining Vessels from sailing to any Parts within the Province.*

Read and *Resolved*, That the Bill pass to be enacted.

Bill read.

A Bill Intituled *An Act to regulate and duly proportion the Charge of Building and Repairing Bridges.*

Read a second Time, and *Ordered*, That the Bill, together with the Petition of the Select-Men of *Braintree*, be referred to the next *May* Session for further Consideration.

On

On a Motion made and seconded, *Ordered*, That the several Committees appointed to build and repair the Line of Block-Houses, be directed to desist proceeding therein, until the further Order of the Court. Committees for Block-Houses, directed.
Sent up for Concurrence.

Ordered, That Mr. *William Bowdoin* serve as a Monitor to the House, to see that the Orders thereof be carefully observed and put in Execution.

The Committee appointed on the Petition of *Thomas Hutchinson*, Esq; reported. Committee on Petition of *Thos. Hutchinson*, Esq;

Read and accepted, and *Voted*, That the said Mr. *Hutchinson* pay to the Province Treasurer the Sum of *forty eight Pounds fourteen Shillings and six Pence*; and also *nine Pounds one Shilling & four Pence* Lawful Money, to *John H. Lydius*, Esq; of *Albany*; and upon his so doing, that he be discharged from the Sum of *two Thousand five Hundred Pounds*, mentioned in the Petition.

Sent up for Concurrence.

Then the House adjourn'd 'till to Morrow Morning ten o'Clock.

Jovis 20. Die Februarii, A. D. 1755.

O*rdere*d, That Capt. *Williams* be of the Committee on the Petition of the Select-Men of *Dunstable &c.* in the Room of Col. *Choate*, who desires to be excused. Capt. *Williams* of a Committee

Benjamin Lincoln, Esq; brought down the Bill Intituled *An Act for rendring more effectual an Act Intituled An Act for granting an Excise unto his Majesty upon Spirits distilled &c.* Pass'd in Council, viz. In Council *Febr.* 19th 1755. Read a first and second Time, and pass'd a Concurrence with the Amendment at B. Bill bro't down.

Sent down for Concurrence.

Read and concur'd with the further Amendment at E.

Sent up for Concurrence.

Ordered, That Col. *Brattle*, Col. *Choate*, Col. *Lawrence*, *James Bowdoin*, and *John Murray*, Esqrs; be a Committee to wait on his Excellency the Governour, and inform him, the House desire his Excellency would give a Recess to the Court, if he pleases. Committee to wait on his Excellency.

John Hill, Esq; brought down the Petition of *Nathan Peabody* and *Spencer Bennet*, with a Vote of Council thereon, viz. In Council *Febr.* 15th 1755. Read again, with the Answer of *Israel Averell &c.* and *Ordered*, That *Samuel Watts* and *John Hill*, Esqrs; with such as the honourable House shall join, be a Committee to consider this Petition, and the other Papers, hear the Parties, and report what they judge proper for this Court to do thereon. Petition of *Nathan Peabody*, &c. bro't down.

Sent down for Concurrence.

Read and concur'd, and Mr. *Day*, Mr. *Dodge*, and Mr. *Winflow*, are joined in the Affair.

Petition of
Bazaleel Toppan.

A Petition of *Bazaleel Toppan* of *Salem*, praying that the Award of *John Avery* and *John Winslow* made in his Cause with *Andrew Hall*, may be set aside, for the Reasons mentioned.

Read and *Ordered*, That the Petitioner serve the adverse Party with a Copy of this Petition, that he shew Cause, if any he hath, on Tuesday next, if the Court be then Sitting, if not, on the first Friday of the next Sitting of the Court, why the Prayer thereof should not be granted, and all Proceedings relating thereto, are stayed in the mean Time.

Sent up for Concurrence.

Petition of
Sam. Pierce,
bro't down.

John Erving, Esq; brought down the Petition of *Samuel Pierce*, Agent for the Proprietors of the common and undivided Land in *Holden*. Pass'd in Council, viz. In Council *Febr.* 18th 1755. Read and *Ordered*, That the Prayer of the Petition be granted, and that the Grant of a Tax of *three Farthings* per Acre on the Lands within mentioned, for the Purpose therein set forth, made by the Town of *Holden*, at their Meeting within mentioned, be and hereby is ratified and confirmed accordingly ; and that *Samuel Pierce*, *Joseph Hubbard*, and *Jonathan Lord*, of said Town, be authorized as Assessors to proportion the same on the Proprietors and Inhabitants of said Town ; and that *John Biglow* of said Town be empowered and directed to collect the same ; and that *Samuel Hubbard* within mentioned be authorized and required to receive and pay said Sum for the Purposes within mentioned ; the said Assessors Collector and Treasurer to have the same Power therein as Collectors Assessors and Treasurers in other Towns are vested with.

Sent down for Concurrence.

Read and non-concur'd, and *Ordered*, That Mr. *Jacob Cushing*, and Col. *Chandler*, with such as the honourable Board shall join, be a Committee to consider said Petition, and report thereon.

Sent up for Concurrence.

Order on
Petition of
Christopher
Forbush.

On a Motion made and seconded, *Ordered*, That the Petition of *Christopher Forbush*, as entred the 7th of *January* last, be revived, and committed to Major *Gerrish*, Col. *Bradford*, and Capt. *Williams*, to consider and report thereon.

Brookfield's
Committee
Account.

The Committee appointed to repair to the Town of *Brookfield*, &c. presented an Account of their Expences.

Which was read and committed to *Thomas Foster*, Esq; Mr. *Tyng*, and Major *Gerrish*, to consider and report thereon.

Petition of
Col. *Dwight*,
&c.

A Petition of Col. *Dwight*, and another of Capt. *Israel Ashley*, praying the Court would allow and pay sundry Accounts there-with presented.

Read and committed to Capt. *Pratt*, Mr. *Sever*, and Col. *Bradford*, to consider and report thereon ; and that the said Committee consider also sundry Accounts presented by *David Ingersole*, Esq;

Petition of
Christopher
Wadsworth.

A Petition of *Mercy Wadsworth*, Administratrix on the Estate of *Christopher Wadsworth*, late of *Duxborough*, deceased, praying she may be empowered to make Sale of Part of the Real Estate said *Christopher* died seized of, for the Reasons mentioned.

Read

Read and committed to *Thomas Foster*, Esq; Col. *Bradford*, and Capt. *Williams*, to consider and report thereon.

A Petition of Dr. *Eleazer Harlow* of *Duxboro'*, praying he may be allowed his Account of attending &c. sundry sick Soldiers, for the Reasons mentioned. Petition of Dr. *Harlow*.

Read and committed to *Thomas Foster*, Esq; Col. *Bradford*, and Capt. *Williams*, to consider and report thereon.

A Petition of *Ebenezer Kingsley* and others, in Behalf of the Inhabitants of *Southampton*, praying that Part of their Province Tax be put upon the Town of *Northampton*, for the Reasons mentioned. Petition of *Eben. Kingsley*, &c.

Read and Ordered, That the Petitioners serve the Town of *Northampton* with a Copy of this Petition, by leaving a Copy thereof with the Clerk of said *Northampton*, that they shew Cause (if any they have) on the second Friday of the next Sitting of the Court why the Prayer thereof should not be granted.

Sent up for Concurrence.

Isaac Royall, Esq; brought down the Petition of *Aaron Plumer*, with a Vote of Council thereon, viz. In Council *Febr.* 19th 1755. Petition of *Aaron Plumer* bro't down.
Ordered, That the Consideration of this Petition be referred to the second Wednesday of the next Sitting of this Court.

Sent down for Concurrence.

Read and concur'd.

Samuel Watts, Esq; brought down the Petition of *Abigail Lewis* of *Lynn*. Pass'd in Council, viz. In Council *Febr.* 19th 1755 Petition of *Abigail Lewis* and Vote thereon bro't down.
Read and Ordered, That the Prayer of the Petition be granted, and that the Petitioner be and she is hereby empowered in her said Capacity to make Sale of the Real Estate mentioned in the Petition, for the most that may be, publick Notice of the intended Sale being first given in Time and Manner as by Law is directed, in the Case of the Sale of Lands by Executors or Administrators, the said Administratrix giving due Caution to the Judge of Probate for the County of *Essex*, that the Proceeds of such Sale (after Payment of just Debts) be put out at Interest, on good Security, that one third Part of said Interest as it shall annually arise, be for the Use of the Widow of the said Deceased, during her natural Life, and that the other two Thirds of said Interest be put into the Hands of such as are or may be appointed Guardians of the Children of said Deceased, by them to be applied for the Comfort & Support of said Children, that their respective Proportions in two Thirds of the principal Sum be paid to them as they shall arrive at lawful Age or at Marriage, and that the other third Part of the Principal be paid to them (or such as shall legally represent them) upon the decease of said Widow, the Petitioner to be accountable to the Judge of Probate aforesaid, for and touching her Proceedings in the Premises.

[Deceased]

Sent down for Concurrence.

Read and concur'd.

James

Petition of *John Farrar*, bro't down. *James Minot*, Esq; brought down the Petition of *John Farrar*, with a Vote of Council thereon, viz. In Council *Febr.* 18th 1755. Read again, and *Ordered*, That *Samuel Watts*, Esq; be of the Committee in the Room of *John Cushing*, Esq; who is excused.

Sent down for Concurrence. Read and concur'd.

Report on Petition of *Henry Woods*. The Committee appointed on the Petition of *Henry Woods*, reported. Read and accepted, and *Ordered*, That there be allowed and paid out of the public Treasury the Sum of *five Pounds* for what he paid to his Nurses while a Soldier, and that he be further allowed the Sum of *five Pounds and seven Pence half Penny* by him paid *Mrs. Sharrow* of *Boston*, for nursing him while sick there.

Sent up for Concurrence.

Report on Petition of *Amos Parling*. The Committee appointed on the Petition of *Amos Parling*, reported. Read and accepted, and *Ordered*, That there be allowed and paid out of the public Treasury the Sum of *eight Pounds*, he paid his Nurses while sick, in full of his Account.

Sent up for Concurrence.

Vote relating to Sick Soldiers. *Voted*, That no Soldier in the Service of the Province, shall be allowed Pay from the Government, over and above his Wages, for his Nursing and Attendance on any of his Fellow-Soldiers during any Sickness wherewith they may be visited, it being the Duty of an Officer to take Care that every Man under his Command shall perform as near as may be an equal Part of Service.

Sent up for Concurrence.

Petition of *Archibald Greenfield*, bro't down. *John Otis*, Esq; brought down the Petition of *Archibald Greenfield* of *Salem*. Pass'd in Council, viz. In Council *Febr.* 15th 1755. Read and *Ordered*, That the Petitioner serve the adverse Party with a Copy of this Petition, that he shew Cause (if any he hath) on the second Wednesday of the next Sitting of the Court, why the Prayer thereof should not be granted, and Execution is stayed in the mean Time, provided the Petitioner give sufficient Security to the Sheriff of the County of *Essex*, to pay what now is or finally may be adjudged due.

Sent down for Concurrence.

Read and concur'd.

Vote of Council bro't down.

Post Meridiem.

John Greenleaf, Esq; brought down the Petition of the Select-Men of *Dunstable*, with a Vote of Council thereon, viz. In Council *Febr.* 20th 1755. *Voted*, That *Sylvanus Bourn*, Esq; be of the Committee on said Petition, in the Room of *Benjamin Lincoln*, Esq;

Sent down for Concurrence.

Read and concur'd, and *Ordered*, That Mr. *John Hunt* be of said Committee in the Room of Col. *Otis*.

Sent up for Concurrence.

Mr. *Tasler*, added to a Committee. *Ordered*, That Mr. *Tasler* be of the Committee on the Petition of *Thomas Glover*, in the Room of Mr. *Welles*.

John

John Otis, Esq; brought down the Petition of *Joshua Brand*. Petition of *Joshua Brand* bro't down.
 Pass'd in Council, viz. In Council *Febr.* 11th 1755. Read again, together with the Answer of *Nath. Bullard*, and Ordered, That *Benjamin Lincoln*, Esq; with such as the honourable House shall join, be a Committee to take this Petition under Consideration, hear the Parties, and report to this Court what they judge proper to be done thereon.
 Sent down for Concurrence.

Read and concur'd, and *Mr. Jones*, and *Col. Miller*, are joined in the Affair.

John Otis, Esq; brought down the Petition of *Jacob Cummings*, Petition of *Jacob Cummings* bro't down.
 Agent for the Parish of *Ware-River*. Pass'd in Council, viz. In Council *Febr.* 15th 1755. Read again, together with the Answer of *Mr. William Read* : And the Question put, *Whether the Prayer of the Petition be granted?* And it pass'd in the Negative.

And unanimously Ordered, That the Petition be dismiss'd.

Sent down for Concurrence. Read and concur'd.

A Petition of *Thomas Tufton*, Guardian to *Sarah Libbie*, entred Petition of *Tho. Tufton*:
 the 9th of *January* last. Read and Ordered, That the Petition be revived ; and that *Mr. Quincy*, *Mr. Tyng*, and *Capt. Newhall*, with such as the honourable Board shall join, be a Committee to take the said Petition and Papers accompanying the same, under Consideration, and report what may be proper for the Court to do thereon.

Sent up for Concurrence.

The Committee appointed on the Petition of *Eleazer Harlow*, Report on Petition of *Eleaz. Harlow*.
 reported. Read and accepted, and Ordered, That there be allowed and paid out of the public Treasury unto the Petitioner the Sum of *three Pounds nineteen Shillings & eleven Pence*, in full Discharge of the Account mentioned in the Petition.

Sent up for Concurrence.

James Minot, Esq; brought down the Petition of *James Whitcomb*. Petition of *James Whitcomb* bro't down.
 Pass'd in Council, viz. In Council *Febr.* 18th 1755. Read again, and it appearing that the Proprietors Clerk after being served with this Petition was taken sick and died ; which prevented a Meeting of the Proprietors being called : Therefore

Ordered, That the Consideration of this Petition be referred to the first Tuesday of the next Sitting of this Court, and that the Petitioner in the mean Time serve *Mr. John Draper*, one of the Proprietors of *Hardwieke*, with a Copy of this Petition, that they shew Cause, if any have, why the Prayer thereof should not be granted.

Sent down for Concurrence.

Read and concur'd.

John Chandler, Esq; brought down the Petition of *Thomas Gilbert*, Petition of *Tho. Gilbert* bro't down.
 Agent for the first Parish in *Brookfield*, with a Report of a Committee of both Houses ; which is as follows : That they are of Opinion that the several Grants in said Petition mentioned, be levied on all the Polls and Estates that were included within the first Parish before the same was divided ; and that the present Assessors for the Town aforesaid be authorized and directed to assess

and levy the same accordingly, in such Manner and Proportion as if no such Division had been made; and to issue their Warrants to the Constables of the same Town, requiring them to collect such Assessment, and to pay the same to the Treasurer of said Town, to be applied to the Use of the Rev. Mr. *Harding*, and to the other Purposes for which the same was granted; and the said Constables are hereby impowered and required to execute the said Warrants accordingly. Signed *Samuel Danforth*, per Order.

In Council *Febr. 20th 1755*. Read and Ordered, That the above Report be accepted; and all Persons concerned are required to conform themselves accordingly. Sent down for Concurrence.

Read and concur'd.

Report on
Petition of
Mercy Wadsworth.

The Committee appointed on the Petition of *Mercy Wadsworth*, reported. Read and accepted, and Ordered, That the Prayer of the Petition be granted, and that the Petitioner in her Capacity of Administratrix to the Estate of *Christopher Wadsworth*, deceased, be and hereby is impowered to make Sale of so much of the Real Estate said *Christopher* died seized of as to pay the Sum of *one Hundred six Pounds seventeen Shillings*, and Charges, and to execute good and sufficient Deed or Deeds of the same to the Purchasers, she observing the Rules of the Law respecting the Sale of Lands by Executors or Administrators, and Account to the Judge of Probate for the County of *Plymouth* for the Proceeds thereof.

Sent up for Concurrence.

Vote respecting
Block-
Houses bro't
down.

John Hill, Esq; brought down the Vote of the 19th Instant, respecting the Building and Repairing the Line of Block-Houses &c. Pass'd in Council, viz. In Council *Febr. 20th 1755*. Read and concur'd with the Amendment at A B & C. and that *Sylvanus Bourn*, Esq; with such as the honourable House shall join, be a Committee to wait on his Excellency the Governour with this Vote.

Sent down for Concurrence.

Read and concur'd, and Col. *Richards*, and Col. *Bradford*, are joined for that Purpose.

Then the House adjourn'd 'till to Morrow Morning ten o'Clock.

Veneris 21. Die Februarii, A. D. 1755.

Petition of
Thomas Steel,
Esq;

A Petition of *Thomas Steel*, Esq; of *Liecester*, praying that the Justices of the Superiour Court of Judicature may be impowered at their next Term in the County of *Worcester* to hear and determine a-new, his Action with *John Burnett*, for the Reasons mentioned.

Read and Ordered, That the Petitioner serve the adverse Party with a Copy of this Petition, that he shew Cause (if any he have) on the second Thursday of the next Sitting of the Court, why the Prayer thereof should not be granted, and that Execution be stayed in the mean Time.

Sent up for Concurrence.

James

James Otis, Esq; from the Committee Reported a Bill Intituled *An Act for preventing the unnecessary Destruction of Alewives and other Fish within this Province.* Read a first second and third Time, and pass'd to be engross'd. Bill Report-
ed. Sent up for Concurrence.

James Minot, Esq; brought down the Petition of *Simon Davis*. Pass'd in Council, viz. In Council *Febr.* 19th 1755. Read and Ordered, That *Samuel Watts* and *Benjamin Lincoln*, Esqrs; with such as the honourable House shall join, be a Committee to take this Petition under Consideration, hear the Parties, and report what they judge proper to be done thereon. Petition of
Simon Davis
bro't down. Sent down for Concurrence.

Read and concur'd, and Col. *Lawrence*, Capt. *Ruggles*, and *Nath. Russell*, Esq; are joined in the Affair.

On a Motion made and seconded, Ordered, That Col. *Otis*, Col. *Richards*, and Mr. *Tasfer*, be a Committee to prepare a proper Vote to be passed this Court, respecting the Rates of Persons who enlist as Soldiers; and that the said Committee examine the Act Intituled *An Act for levying Soldiers &c.* and report what Additions or Alterations may be necessary to be made thereon. Committee
to prepare a
Vote relat-
ing to Soldi-
ers Rates.

Andrew Oliver, Esq; brought down the Petition of *Timothy Prout*, Esq; Pass'd in Council, viz. In Council *Febr.* 13th 1755. Read and Ordered, That *Samuel Watts*, *Sylvanus Bourn*, and *Thomas Hutchinson*, Esq; with such as the honourable House shall join, be a Committee to consider of this Memorial, together with the several Petitions therein referred to, and the several Answers, and other Papers relating thereto, now lying before this Court, and report what they judge proper for the Court to do thereon. Petition of
Tim. Prout.
Esq;

Sent down for Concurrence.

Read and non-concur'd, and Ordered, That the Petition be dismiss'd.

John Erving, Esq; brought down the Petition of the Select-Men of *Grafton*. Pass'd in Council, viz. In Council *Febr.* 22d 1755. Read and Ordered, That the Prayer of the Petition be granted, and that the Trustees of the *Grafton* Indians be directed to pay for the Purposes within mentioned the Sum of *twelve Pounds ten Shillings* remaining in their Hands towards Reimbursing the Petitioner, and that they pay the Remainder, so as fully to indemnify them, out of the Interest Money belonging to the Heirs of the said *Sarah Burne*, deceased, as it becomes due. Petition of
Select-Men
of *Grafton*. Sent down for Concurrence.

Read and concur'd.

The Committee appointed on the Petition of *Thomas Glover*, as entred the 13th Instant, Reported that the Consideration of the Petition be referred to the next Sitting, and that the Petitioner be allowed to bring in a Bill to regulate the Descent of Real Estates, so that it may be kept in the Blood of the Purchaser. Report on
Petition of
Tho. Glover,
bro't down.

Ordered, That Capt. *Richardson* be of the Committee on the Petition of *John Farrar*, in the Room of Col. *Brattle*. Capt. *Rich-
ardson* of a
Committee.

John Erving, Esq; brought down the Petition of *Sarah Lane* and *Thomas Hale*. Pass'd in Council, viz. In Council *Febr.* 20th 1755. Read Petition of
Sarah Lane
&c. brought
down.

Read and *Ordered*, That the Prayer of the Petition be granted, and that the Petitioners be and hereby are fully impowered to make Sale of the Land within mentioned, for the most the same will fetch, after duly posting up Notifications of the Time and Place of Sale, agreeable to the Method prescribed by the Law pass'd in the sixth Year of the Reign of King *George* the first, Chap. 3, relating to Executors and Administrators selling Land; and that the Petitioners give Bond with Sureties to the Judge of Probate for the County of *Worcester*, to Account for the Money arising by such Sale, and the Overplus, if any there be, after the just Debts and Inventory Charge are paid, suffer a Division among the Heirs according to Law.

Sent down for Concurrence.

Read and concur'd.

Post Meridiem.

Bill enacted. An engross'd Bill Intituled *An Act for appointing Assayers on Pot and Pearl-Ash.*

Read and *Resolved*, That the Bill pass to be enacted.

Report on Petition of *Charles Goodrich, &c* The Committee appointed on the Petition of Capt. *Ashley* in Behalf of *Charles Goodrich* and *Abner Dewey*, reported.

Read and accepted, and *Voted*, That the Sum of *three Pounds eight Shillings & six Pence* be allowed and paid out of the public Treasury to Capt. *Israel Ashley*, by him to be paid to the said *Goodrich*, and *two Pounds ten Shillings & six Pence* to said *Dewey*, in Discharge of their Accounts mentioned in the Petition.

Sent up for Concurrence.

Report on Billetting Soldiers. The Committee to whom was referred the Consideration of fundry Accounts of Billetting *Connecticut* Forces on the late Alarm at *Stockbridge*, reported.

Read and accepted, and *Voted*, That there be allowed and paid out of the public Treasury to *David Ingersole*, Esq; the Sum of *forty seven Pounds eight Shillings and three Pence*, and by him to be paid to the several Persons to whom it is due, in full Discharge of said Accounts.

Sent up for Concurrence.

Petition of *Caleb Hutchins*. A Petition of *Caleb Hutchins* of *Kittery*, praying he may be discharged from a Tax on the Tonnage committed to him to collect as Constable of said Town, amounting to *twenty one Pounds eleven Shillings and six Pence*, upon which the Province Treasurer has issued his Warrant, for the Reasons mentioned.

Read and committed to Mr. *Sparhawke*, Capt. *Dodge*, and Mr. *Witt*, to consider and report thereon.

Petition of *David Parker* bro't down. *Joseph Pyncheon*, Esq; brought down the Petition of *David Parker*. Pass'd in Council, viz. In Council *Febr. 21st 1755*. Read and *Ordered*, That the Prayer of the Petition be granted, and the Petitioner in said Capacity be and he is hereby impowered to make Sale of the said Minor's Interest in the House in said Petition mentioned, for the most it will fetch, he first giving Notice of the intended Sale in Time and Manner as by Law is directed where
Lands

Lands are sold by Executors and Administrators, provided due Caution be given to the Judge of Probate for the County of *Middlesex*, that the Proceeds of such Sale be duly apply'd so far as is necessary to discharge such Debts as have arisen for the Support and Cloathing of said Minor, or as shall be needful for his Comfort and Support, and that he Account with the said Judge for his Proceedings in the Premises. Sent down for Concurrence.

Read and concur'd.

An engross'd Bill Intituled *An Act in Addition to and rendring more effectual an Act Intituled An Act for granting unto his Majesty an Excise upon Spirits distilled and Wine, and upon Limes Lemmons & Oranges.* Bill enacted.

Read and Resolved, That the Bill pass to be enacted.

Joseph Pynchon, Esq; brought down the Petition of certain Proprietors in *Framingham*, with a Report of a Committee of both Houses thereon, viz. That they are of Opinion that the Petition be dismiss'd. Framingham Petition bro't down.

Signed *John Otis*, per Order.

In Council *Febr. 21st 1755.* Read and Ordered, That the within Report be accepted, and that the Petition be dismiss'd accordingly. Sent down for Concurrence.

Read and concur'd.

Joseph Pynchon, Esq; brought down the Petition of *Samuel Pierce*, Agent of the Proprietors of the Common and Undivided Lands in *Holden*, with a Report of a Committee of both Houses thereon; as follows, viz. That the Committee are of Opinion, that the Prayer of the Petition be granted, and that the Vote of Council of the 18th Instant thereon, be revived, and pass this honourable Court. Petition of Sam. Pierce, bro't down.

Signed *James Minot*, per Order.

In Council *Febr. 21st 1755.* Read and Ordered, That the foregoing Report be accepted. Sent down for Concurrence.

Read and concur'd.

Ordered, That a Message go up to the honourable Board to inform them, that the House propose to chuse by joint Ballot a Guardian to the *Punkapoug* Indians, in the Room of *John Quincy*, Esq; who declines that Service, at six o'Clock this Afternoon. Message to the Board.

A Message from the honourable Board, informing, that they agree to the Proposal of the House of chusing a Guardian to the *Punkapoug* Indians, at six o'Clock this Afternoon. Message from the Board.

Ordered, That Major *Chandler*, Mr. *Sparhawke*, and Major *Stockbridge*, be a Committee on the Part of the House to carry up the Votes for the Choice of a Guardian of the *Punkapoug* Indians, and assist in counting and sorting the same. Committee to carry up Votes.

A Message from his Excellency the Governour by Mr. Secretary, to both Houses; which is as follows, viz. Governour's Message.

Gentlemen of the Council and House of Representatives,

THE Petitioner *Capt. Bradstreet's Service at the Reduction of Louisbourg, and afterwards as set forth in his Petition, is so well known, particularly to Sir William Pepperrell, who is now attending this*

this Court, and under whose immediate Command he served, that it is needless for me to observe to you upon it, further than that he distinguished himself as a very good and useful Officer in that Expedition.

The Employment of his Vessel as set forth in his Petition, I remember well, and that he gave his Account for the same, claiming according to his present Demand, to the Assembly, but that he went to Louisbourg before the Account was paid or settled; and I suppose the Papers may have been burnt with the late Town-House.

I must, upon the Whole, Gentlemen, Recommend the Consideration of this Petition to you, that a just and honourable Allowance may be made this Gentleman for his Services, without which he has remained several Years.

Council Chamber Febr.

W. SHIRLEY.

21st 1755.

Col. Broadstreet's Petition read.

The Petition referred to in his Excellency's foregoing Message, was read, and after a Debate thereon, the Question was put, *Whether the Petition should be referred to a Committee?*

It pass'd in the Negative. And Ordered, That the Petition be dismiss'd. Sent up for Concurrence.

Petition relating to the Embargo.

A Petition of a Number of the Inhabitants of *Marblehead*, praying the Embargo laid on the fishing Vessels may be taken off, for the Reasons mentioned.

Read and Voted, That his Excellency the Captain-General be desired to take off the Embargo on fishing Vessels on the first of *March* next. Sent up for Concurrence.

Petition of *Jos. Plaisted*, bro't down.

Joseph Pyncheon, Esq; brought down the Petition of *Joseph Plaisted*. Pass'd in Council, viz In Council Febr. 21st 1755. Read and Ordered, That the Petitioner in his Capacity of Administrator be and hereby is impowered to bring forward his Writ of Review at the next Superiour Court of Judicature to be holden at *York* within and for the County of *York*, of the Action mentioned in the Petition against the Executors of the Testament of *Samuel Walton*, deceased, and the Justices of the said Court be and hereby are impowered and directed to hear and try the same, enter up Judgment and Award Execution thereon; and the Executions and all other Proceedings on the former Judgment are stayed in the mean Time, provided the Petitioner give sufficient Caution to the Sheriff of the County of *York* to Respond what may be finally adjudg'd due with Interest from this Day 'till paid.

Sent down for Concurrence.

Read and concur'd.

Letter directed to the Gov.

The Secretary brought down a Letter directed to his Excellency the Governour from *Cl: Leissner* of *Broadbay*. dated *January* 29th 1755, praying for Arms, Ammunition &c.

Read and committed to Col. *Otis*, Col. *Bradford*, and Col. *Storer*, to consider and report thereon.

Report of a Committee on Excise.

John Chandler, Esq; brought down the Report of the Committee appointed to farm out the Excise upon Tea, Coffee &c. in the County of *Worcester*. Signed *J. Wilder*, per Order.

In Council Febr. 22d 1755. Read and sent down. Read

Read and *Ordered*, That the said Report be accepted, and that the Sum of *eighteen Shillings* be allowed and paid out of the public Treasury to said Committee, in discharge of their Account of Expenses, &c. Sent up for Concurrence.

John Chandler, Esq; brought down the Report of the Committee appointed to farm out the Excise of spirituous Liquors in the County of *Worcester*. *Report on Worcester Excise.*
Signed *William Richardson*, per Order.

In Council *Febr. 22d 1755*. Read and sent down

Read and *Ordered*, That the Report be accepted, and that the Sum of *three Pounds four Shillings and eight Pence*, be allowed and paid out of the public Treasury to said Committee in discharge of their Travel and Expenses. Sent up for Concurrence.

The Committee appointed to carry up the Votes for the Choice of a Guardian of the *Punkapoug* Indians, reported that Mr. *Joseph Billings* of *Stoughton*, was chosen. *Committee to carry up Votes.*

Then the House adjourn'd 'till to Morrow Morning nine o'Clock.

Sabbati 22. Die Februarii, A. D. 1755.

Ordered, That *Nathanael Sparhawke*, Esq; be added to the Committee appointed on the Bill for the Encouragement of the Cod-Fishery. *Mr. Sparhawke on a Committee.*

Ordered, That *Capt. Goodwin* be of the Committee on the Petition of *John Sweet*, in the Room of *Col. Clap*, who is absent. *Capt. Goodwin on a Committee.*

The Committee appointed to consider the Account presented by a Committee of this Court, who were ordered to view &c. the first Parish in *Brookfield*, reported. *Report on Brookfield's Committee's Account.*

Read and accepted, and *Ordered*, That the Sum of *eleven Pounds twelve Shillings and three Pence half Penny* be paid by the Town of *Brookfield* to *Samuel Watts*, Esq; and others of said Committee, in full discharge of their Account. Sent up for Concurrence.

The Committee appointed Yesterday to take under Consideration a Letter from *Cl: Leifsner*, reported. Read and accepted, and thereupon *Voted*, That his Excellency the Captain-General be desired to give Orders that there be sent to *Broadbay*, three small Cannon two Pounders, one Barrel of Powder, and a proper Proportion of Ball out of the Magazine of the Province, and put the same under the Care of some proper Officer there, to be improved for the Defence of that Place against the common Enemy, and not otherwise. *Report on Petition of Cl: Leifsner's Letter.*
Sent up for Concurrence.

The Committee appointed on the Petition of *Elhanan Winchester* and others, as entred the 19th Instant, Reported, That the Petition be dismiss'd. Read and accepted, and *Ordered*, That the said Petition be dismiss'd accordingly. *Report on Petition of Elhanan Winchester.*

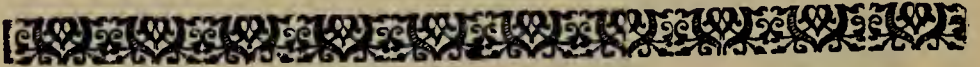
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Committee on the late Treasurer's Affairs. On a Motion made and seconded, *Ordered*, That Mr. Speaker, Col. *Otis*, Mr. *Tyng*, Col. *Bradford*, Capt. *Livermore*, Mr. *Witt*, and Col. *Ruggles*, be a Committee to take the Affair of the late Treasurer Mr. *Foye*, under Consideration, and report thereon.

Judge *Russell* of a Committee. *Ordered*, That Judge *Russell* be of the Committee respecting the rating Soldiers, in the Room of Col. *Choate*.

Committee for Excise. *Ordered*, That *James Bowdoin*, Esq; Col. *Partridge*, and Capt. *Ashley*, be a Committee to consider what further Amendments may be made on the Act granting an Excise on Tea, Coffee, &c.

Then the House adjourn'd 'till Monday next three o'Clock Afternoon.



VOTES

Of the House of Representatives.

Lunæ 24. Die Februarii, A. D: 1755.

A Message from his Excellency the Governour to both Houses, by the Deputy Secretary: Which is as follows, viz.

Gentlemen of the Council and House of Representatives,

Some Days ago I sent you a Letter which I received from Brigadier Dwight, complaining of Riotous and Tumultuous Proceedings of some People of Albany upon our Borders; And by the last Post I received a Letter (which I have herewith sent you) from his Honour Governour DE LANCEY, Commander in Chief of the Province of New-York, containing like Complaints against some Inhabitants of this Province, for committing Violences within the Borders of New-York Government.

Message
from the
Governour.

This is now become a very serious Affair between the two Governments, and happens at a very unfortunate Time for their mutual Welfare.

I must therefore, Gentlemen, recommend it to your mature Consideration, and desire you would give me your Advice upon it, that as perfect an Harmony as is possible may be restored between the two Provinces, so that we may unite against our common Enemy; and no Fault nor Blame be laid upon this Government in this Affair.

Febr. 24th 1755.

W. SHIRLEY.

Read and Ordered, That Mr. Welles, Col. Partridge, and James Bowdoin, Esq; with such as the honourable Board shall join, be a Committee to take under Consideration his Excellency's Message of this Day, and report thereon as soon as may be.

Sent up for Concurrence.

The Committee appointed on the Petition of John Sweet, reported. Read and accepted, and Voted, That the Prayer of the Petition be so far granted, as that Henry Sweet, within mentioned, be and hereby is impowered, in Conjunction with the other Children of the said John Sweet, deceased, and with the Consent of their Guardians and Husbands, to make and execute a Deed of the

Committee
on Petition
of John
Sweet.

X x x

Premises

Premises mentioned in the Petition, to the Petitioner and his Heirs, their Minority notwithstanding ; which Deed so made shall be sufficient Evidence of the Title of the Petitioner to the Premises.
Sent up for Concurrence.

Petition of *William Foye*, Esq; A Petition of *William Foye*, Esq; praying that he may be allowed for sundry Services mentioned in a Schedule thereto annexed.
Read, and the Question was put, *Whether the said Petition &c. should be committed to the Committee on the said Mr. Foye's Affair ?*
It pass'd in the Negative. And Ordered, That the Petition be dismiss'd.

Petitions of *Eben. Shervin* &c. bro't down. *John Greenleaf*, Esq; brought down the Petitions of *Ebenezer Shervin*, and others, *Eleazer Tyng*, Esq; and others of *Dunstable*, and of *Mr. Johnathan Tyng*, with a Report of a Committee of both Houses.
Signed *John Hill*, per Order.

In Council *Febr. 24th 1755.* Read and accepted, and Ordered, That *Samuel Danforth*, Esq; be and hereby is authorized and empowered to call a Meeting of the Town of *Dunstable*, as mentioned in said Report, and to be Moderator of the same ; and all Persons concerned are to conform themselves accordingly.

Sent down for Concurrence. Read and concur'd.

Then the House adjourn'd 'till to Morrow Morning ten o'Clock.

Martis 25. Die Februarii, A. D. 1755.

Petition of *William Hutchinson*. A Petition of *William Hutchinson* of *Palmer District*, who was a Soldier at *Cape-Breton*, praying he may be allowed his Wages omitted, and Plunder-Money &c. for the Reasons mentioned. Pass'd in Council, viz. In Council *Febr. 24th 1755.* Read and sent down.

Read and Ordered, That this Petition be referred to the next Sitting for further Consideration.

Report on his Excellency's Message, bro't down. *John Greenleaf*, Esq; brought down the Report of a Committee of both Houses on his Excellency's Message of the 17th Instant ; Which is as follows ; viz.

That his Excellency be desired to signify by a Letter to the *Penobscot* Indians the favourable Opinion which his Excellency and the two Houses have conceived of the Conduct of said Indians, in endeavouring to prevent Hostilities against the English from the other Tribes, and in their own peaceable and friendly Disposition towards his Majesty's Subjects ever since the Peace ; and that with Respect to their Desire that a Vessel may be sent with Provisions to *Penobscot*, the Government do not approve of delivering Supplies from any Places but the public Truck-Houses : And altho' there is a commodious Truck-House at *St. George's*, yet if the Indians apprehend it more convenient to have one at *Penobscot*, they

they shall be gratified in it ; and they shall retain their Property in all their Lands notwithstanding the placing such a Truck-House there as fully and securely as they do at present.

Signed *Jacob Wendell*, per Order.

In Council *Febr.* 24th 1755.

Read and accepted.

Sent down for Concurrence.

Read and concur'd.

John Otis, Esq; brought down the Petition of *Simon Davis*, Agent of the Town of *Greenwich*, with a Report of a Committee of both Houses thereon. Signed *Samuel Watts*, per Order. Petition of *Simon Davis*, bro't down.

Read and accepted.

Sent down for Concurrence.

Read and non-concur'd, and Ordered, That this Petition be dismissed.

Samuel Watts, Esq; brought down the Petition of *Moody Russell*, with a Vote of Council thereon, viz. In Council *Febr.* 25th 1755. Read and Ordered, That the Consideration of this Petition be further referred to the second Tuesday of the next Sitting of this Court. Petition of *Moody Russell*, bro't down.

Sent down for Concurrence.

Read and concur'd.

John Greenleaf, Esq; brought down the Petition of the Inhabitants of *Cold-Spring*, with a Vote of Council thereon, viz. In Council *Febr.* 21st 1755. Read again, together with the Answer of *Thomas Clarke*, in Behalf of a Number of the Proprietors of the said Plantation ; and thereupon Ordered, That *Samuel Danforth*, and *James Minot*, Esqrs; with such as the honourable House shall join, be a Committee to take this Petition and Answer into Consideration, hear the Parties, and Report what they judge proper for this Court to do thereon. Vote of Council bro't down.

Sent down for Concurrence.

Read and concur'd, and Mr. *Bradbury*, Mr. *William Bowdoin*, and Capt. *Livermore*, are joined in the Affair.

Sylvanus Bourn, Esq; brought down the Petition of *Peabody & Bennet*, with a Vote of Council thereon, viz. In Council *Febr.* 25th 1755. Ordered, That the Consideration of this Petition be referred to the second Tuesday of the next Sitting of this Court, and that the Petitioners notify the adverse Party *Israel Averell* with this Order. Petition of *Peabody and Bennet* bro't down.

Sent down for Concurrence.

Read and concur'd.

Ordered, That *Thomas Foster*, Esq; Mr. *Welles*, and Col. *Ruggles*, be of the Committee respecting Soldiers being taxed &c.

Committee on Soldiers Rates, &c.

Ordered, That *Thomas Foster*, Esq; Mr. *Welles*, and Mr. *Tyng*, be a Committee to prepare a proper Vote, requesting his Excellency the Governour, to appoint a Day of public Fasting throughout this Government.

Committee for requesting the Gov. &c.

Post Meridiem.

On a Motion made and seconded, Ordered, That Capt. *Livermore*, Mr. *Gibbs* of *Salem*, and Col. *Partridge*, be a Committee to make up a List of the Travel and Attendance of the several Members of the House the present Session.

Committee for List of Travel, &c.

A Message from his Excellency the Governour, by Mr. Deputy Secretary ; which is as follows, viz.

Gentlemen of the House of Representatives,

Gov. Message relating to Captain Bradstreet's Petition.

THE Secretary informs me that you have dismissed the Petition of Capt. Bradstreet, which I recommended to the Consideration of both Houses by a Message of the 21st Instant : I am apt to think, Gentlemen, from your Dismissal of it, that there must be some Misapprehensions of the Petitioner's Case.

Mr. Bradstreet having served as a Lieutenant Colonel in the Expedition against Cape-Breton, has certainly a just Claim to be paid for his Service in it, according to the Establishment made by this Government.

And I believe you will find upon looking into the Government's Expences of that Expedition, which the Province prayed to be Reimbursed, the Pay due to Mr. Bradstreet as Lieutenant Colonel was charged in it, and was paid by Parliament, which makes his Claim still stronger.

As to his Pay for doing his Duty of a Town Major after the Reduction of Louisbourg, there was no Establishment for that, so that that stands upon a different Foot, and the single Consideration of his Service done in that Post.

I am persuaded, Gentlemen, when you consider Capt. Bradstreet's Demand of Pay in this Light, you will readily make him an Allowance for what is justly due to him as a Lieutenant Colonel in the aforesaid Expedition, at least according to the Establishment ; and I hope with an Additional Allowance for the Time that the Province hath had the Money in their Hands, and that you will have some Consideration of his Service as Fort Major ; For his Activity and Zeal in both which Posts, I must again refer you to Sir William Pepperrell, whose Lieutenant Colonel he was.

The Redemption of Captives was ever a most tender Point, Gentlemen, with this Province ; and I can't but hope, that you will think one Half of the Charge for the Exchange and Transporting of those taken Prisoners in the late War for French Prisoners, is as much due from this Government, as the other Half was from the French Government, which the Petitioner assured you was paid by them.

I would therefore, Gentlemen, recommend this Petition to your further Consideration.

Council Chamber Febr.

W. SHIRLEY.

25th 1755.

Read and Ordered, That Capt. Livermore, Mr. Tyng, and Mr. Witt, be a Committee to take his Excellency's Message, as also the Petition of Capt. John Bradstreet, under Consideration, and report what it may be proper to do thereon.

Petition of Simon Davis bro't down.

John Hill, Esq; brought down the Petition of Simon Davis of Greenwich. Pass'd in Council, viz. In Council Febr. 25th 1755. Read and non-concur'd, and the House adhere to their own Vote.

Sent down for Concurrence.

Read and non-concur'd, and the House adhere to their own Vote, and the Petition is accordingly dismiss'd.

John

John Wheelwright, Esq; brought down a Bill Intituled *An Act in further Addition to the several Laws already in Being for the more speedy finishing the Land-Bank or Manufactory Scheme*. Pass'd in Council, viz. In Council *Febr. 22d 1755*. Read a first and second Time and pass'd to be engross'd. Sent up for Concurrence.

Bill bro't down.

Read a first second and third Time, and pass'd a Concurrence.

The Committee appointed to prepare a proper Vote desiring his Excellency the Governour to appoint a public Fast, reported as follows: Which was read and accepted.

Report of a Vote for a Fast.

The usual Time of the Anniversary Day of Fasting and Prayer drawing near, and there being Affairs of the utmost Importance to this and the other British Governments in America Agitating and under Consideration:

Voted, That his Excellency the Governour be desired, with Advice of the Council, to appoint a Day as soon as conveniently may be, to be set apart for solemn Fasting and Prayer for the divine Presence and Blessing in the advancing Year, and particularly that God would direct and succeed us in our public great and important Concerns; and that all servile Labour and Recreations be strictly forbidden on said Day. Sent up for Concurrence.

Then the House adjourn'd 'till to Morrow Morning ten o'Clock.

Mercurii 26 Die Februarii, A. D. 1755.

Joseph Pyncheon, Esq; brought down the Answer to his Excellency's Message of the 24th Instant, prepared by a Committee of both Houses.

Answer to his Excellency's Message bro't down.

Signed *J. Chandler*, per Order.

In Council *Febr. 25th 1755*. Read and accepted, and Ordered, That *John Chandler* and *Isaac Royall*, Esqrs; with such as the honourable House shall join, be a Committee to wait on his Excellency with the same. Sent down for Concurrence.

Read and concur'd, and *Col. Brattle*, *Thomas Foster*, Esq; and *Mr. Jones*, are joined in the Affair.

Samuel Watts, Esq; brought down the Petition of the Inhabitants of *Cold-Spring*, with a Report of a Committee of both Houses.

Report of a Committee of Cold-Spring.

Signed *Samuel Danforth*, per Order.

Pass'd in Council, viz. In Council *Febr. 26th 1755*. Read and accepted, and Ordered, That the said Petition be dismiss'd accordingly.

James Otis, Esq; from the Committee appointed to bring in a Bill in Addition to an Act for Levying Soldiers &c. Reported a Bill Intituled *An Act in Addition to an Act made in the twenty-seventh Year of his present Majesty's Reign Intituled An Act for Levying Soldiers, and to prevent Soldiers and Seamen in his Majesty's Service being arrested for Debt*. Read a first and second Time.

Committee for a Bill.

Message
from his Ex-
cellency
relating to
Barracks
at Castle-
Island.

A Message from his Excellency the Governour, by Mr. Secretary; which is as follows, viz.

Gentlemen of the House of Representatives,
THE last Session I lay'd before his Majesty's Council and your House the Inconveniencies which would arise from the Soldiers of my Regiment being Quartered at Boston, and in the neighbouring Towns; and desir'd your House would make Provision for repairing the Barracks at his Majesty's Castle-William, to receive them; whereupon you voted a Sum not exceeding One Hundred Pounds Lawful Money for that Purpose.

I have proceeded to fit up all the Barracks upon that Island, and made them capable of entertaining near four Hundred Men, and there are still wanting more for the Reception of seven Hundred Men and Officers.

I am in daily Expectation of the Arrival of more Soldiers at Boston than what will, together with those now at the Castle, make up five Hundred Men; and I expect to compleat my Regiment in a few Weeks, when I must assemble them all at Boston, the Place of their Rendezvous, and the Towns next adjacent, to be disciplin'd, and prepar'd for his Majesty's Service.

You will easily conceive, Gentlemen, the great Confusion, and Inconveniencies to the Country, and the Service for which this Regiment was ordered to be rais'd, if eleven Hundred Men should be quarter'd up and down in Boston and the neighbouring Towns, and what a Number of Towns they must overspread to find public Houses enough for them: But they might be lodg'd all in Barracks upon Castle-Island, and disciplin'd there; which would deliver the Country and his Majesty's Service, especially that for which they may, I hope, be design'd at this Conjunction.

I must therefore press you to take this Matter under your immediate Consideration, and to make Provision for building such further Barracks upon Castle-Island, as I propose, before you rise, which I should be glad, you might do, this Day.

I have had the Expence calculated as exactly as I can, by good Judges, and it will not exceed Twelve Hundred Pounds Sterling at the utmost.

I hope, Gentlemen, you will consider the Necessity of the Thing's being done without Delay: I can't but think it may be in my Power to exonerate the Province of the Charge in one Way or another; and you may depend upon my best Endeavours to do it.

Council Chamber Febr.

W. SHIRLEY.

26th 1755.

Read and Ordered, That his Excellency's foregoing Message be considered at three o'Clock Afternoon.

Report on
Brigadier
Dwight's
Letter.

John Greenleaf, Esq; brought down the Report of the Committee of both Houses, appointed to consider Brigadier Dwight's Letter.

Signed Andrew Oliver, per Order.

Pass'd in Council, viz. In Council Febr. 22d 1755. Read and accepted with the Amendment at A. Sent down for Concurrence.

Read and Ordered, That this Report be referred to the next Sitting of the Court for further Consideration.

John

John Otis, Esq; brought down the Petition of *Bezaleel Toppan*, Petition of *Bezaleel Toppan*, bro't down. with a Vote of Council thereon, viz. In Council *Febr. 26th 1755*. Read again, together with the Answer of *Andrew Hall*, and thereupon *Ordered*, That the Consideration of this Petition & Answer be referred to the second Tuesday of the next Sitting of the Court.

Sent down for Concurrence.

Read and concur'd.

Post Meridiem.

A Petition of *David Lynde* of *Liecester*, praying that the Court of Sessions for the County of *Worcester*, may be impowered to Licence him an Innholder in said Town, for the Reasons mentioned. Petition of *David Lynde*.

Read and *Ordered*, That the Prayer of the Petition be granted, and that the Justices of the Court of General Sessions of the Peace for the County of *Worcester* at their next Term, be and hereby are impowered, if they think fit, to Licence the Petitioner to be an Innholder in the said Town of *Liecester*, he obtaining the Approbation of the Select-Men of said Town, the Time for granting of Licences being elapsed notwithstanding.

Sent up for Concurrence.

An engross'd Bill Intituled *An Act for preventing the unnecessary Destruction of Alewives and other Fish within this Province*. Bill enacted.

Read and *Resolved*, That the Bill pass to be enacted.

A Bill Intituled *An Act in Addition to an Act made in the twenty-seventh Year of his present Majesty's Reign Intituled An Act for Levying Soldiers, and to prevent Soldiers and Seamen in his Majesty's Service being arrested for Debt*. Bill for Levying Soldiers. Read a third Time and pass'd to be engross'd.

Sent up for Concurrence.

The House, according to Order, took under Consideration his Excellency's Message of this Day; and after a large Debate had thereon; The Question was put, *Whether any Sum be granted for building Barracks on Castle-Island?* It pass'd in the Negative. Vote on Gov. Message.

Ordered, That *Col. Brattle*, *Mr. Tyng*, and *Mr. Gibbs* of *Newton*, be a Committee to prepare a proper Answer to his Excellency's Message of this Day, and report as soon as may be.

A Bill Intituled *An Act for reviving a Law of this Province made in the twenty-third Year of his present Majesty's Reign Intituled An Act to prevent Damage being done on the Meadows lying in the Township of Yarmouth called Nobscuassett-Meadow*. Bill read.

Read a first second and third Time, and pass'd to be engross'd.

A Petition of *Jacob Perkins* belonging to the sixth Parish in *Ipswich*, praying that he with his Lands that were devised to him by his Father's last Will, may be annexed to the said sixth Parish, for the Reasons mentioned. Petition of *Jacob Perkins*.

Read and *Ordered*, That the Petitioner serve the second Parish in said Town with this Petition, by leaving an attested Copy thereof with their Clerk, that they shew Cause, if any they have, on the second Friday of the next Sitting, why the Prayer thereof should not be granted.

Sent up for Concurrence.

An

Bill enacted. An engross'd Bill Intitled *An Act in further Addition to the several Laws already in Being for the more speedy finishing the Land-Bank or Manufactory-Scheme.*

Read and *Resolved*, That the Bill pass to be enacted.

Report on
Petition of
Thp. Tufton.

John Erving, Esq; brought down the Petition of *Thomas Tufton*, with a Report of a Committee thereon.

Signed *Samuel Watts*, per Order.

In Council *Febr.* 26th 1755. Read and accepted, and *Ordered*, That the Consideration of the Petition be referred to the next Sitting. Sent down for Concurrence. Read and concur'd.

Then the House adjourn'd 'till to Morrow Morning ten o'Clock.

Jobis 27. Die Februarii, A. D. 1755.

Report of a
Committee,
with a Vote
relating to
building
Barracks.

THE Committee appointed to prepare an Answer to his Excellency's Message of Yesterday, Reported that they had prepared an Answer accordingly : Which was read and not accepted, and thereupon *Voted*, That the House will reconsider their Vote of not granting any Sum for building Barracks on *Castle-Island*.

Also *Voted*, That a Sum not exceeding *Eight Hundred Pounds* Lawful Money be and hereby is granted for the building of Barracks at *Castle-William*, for the Reception of Soldiers, the said Money to be put into the Hands of a Committee to be appointed for that Purpose by the two Houses ; which Committee are hereby strictly enjoined not to extend the said Works so as to occasion any further Charge to this Province in Order to compleat the same ; and that the Work may be done in the most cheap and expeditious Manner, the Committee are directed to give seasonable public Notice to all Workmen &c. of the building the said Barracks : the Committee to be accountable. Sent up for Concurrence.

Committee
for building
of Barracks.

Voted, That Mr. Speaker, Capt. *Joseph Williams*, and Col. *Brattle*, with such as the honourable Board shall join, be a Committee to take Care of the building of the Barracks at *Castle-William*, agreeable to the Vote of this Day. Sent up for Concurrence.

Report on
farming out
Suffolk Ex-
cise.

The Committee appointed to farm out the Excise on spirituous Liquors, &c. for the County of *Suffolk*, Reported that they had sold the same at public Vendue to Mr. *Elisha Jones*, (being the highest Bidder) for *two Thousand four Hundred & twenty Pounds*, and had taken Bond of said Mr. *Jones*, with Sureties, for the said Sum, agreeable to the Law of this Province, payable to the Treasurer, and had lodged the same with the Treasurer.

Order there-
on.

Read and accepted, and *Ordered*, That the Sum of *three Pounds one Shillings & six Pence* be allowed and paid out of the publick Treasury to the said Committee for their Time and Expence in said Service. Sent up for Concurrence.

The

The Deputy Secretary brought down a Letter from his Honour *John Gardner, Esq;* Lieutenant-Governour of *Rhode-Island, &c.* to his Excellency Governour SHIRLEY, dated *Newport, Febr. 24th 1755*, together with the Affidavit of Capt. *George Hunt*, accompanying the same : Which were read.

Lt. Gover.
of Rh-Island's
Letter.

Ordered, That Col. *Brattle* go up with a Message to the honourable Board, to desire they would not rise as yet, as something of Importance would be sent up.

Message to
the Board.

Who returned that he had delivered the Message.

An engross'd Bill Intituled *An Act in Addition to an Act made in the twenty-seventh Year of his present Majesty's Reign Intituled An Act for Levying Soldiers, and to prevent Soldiers and Seamen in his Majesty's Service being arrested for Debt.*

Bill for Levy-
ing Soldiers.

Read and Resolved, That the Bill pass to be enacted.

An engross'd Bill Intituled *An Act for reviving a Law of this Province made in the twenty-third Year of his present Majesty's Reign, Intituled An Act to prevent Damage being done on the Meadows lying in the Township of Yarmouth, called Nobscuffett-Meadow.*

Nobscuffett-
Meadows.

Read and Resolved, That the Bill pass to be enacted.

Post Meridiem.

Ordered, That the Printer for the House be directed forthwith to print the Act lately pass'd this Court Intituled *An Act for preventing the unnecessary Destruction of Alewives and other Fish within this Province* ; in order that the several Towns more immediately affected thereby may be seasonably apprized of the Contents of the same.

Printer di-
rected.

The Committee appointed to prepare a List of the Travel and Attendance of the Members of this House the present Sitting of the Court, Reported a List of the same to this Day inclusively.

List of the
Members
Attendance
&c.

Read and accepted, and Ordered, That the Clerk of the House certify the same accordingly.

On a Motion made and seconded, Ordered, That the Committee on the Repairs of the Castle, be directed to cause to be erected a Beacon on the Spit of Sand near the Light-House, in the Room of that which was carried away by the late Storm.

Committee
directed.

Sent up for Concurrence.

Ordered, That all Matters lying before this Court, and not passed on, have the same Day at the next Sitting, and be referred accordingly.

All Matters
referred.

Sent up for Concurrence.

Committee
to wait on
his Excellency.

Ordered, That Mr. *John Hunt*, *Thomas Foster*, Esq; Col. *Chandler*, Col. *Ruggles*, and Col. *Brattle*, be a Committee to wait upon his Excellency the Governour, to desire the Court may have a *Recess*, if his Excellency pleases, as the House have nothing now lying before them.

Who returned that they had waited on his Excellency, and delivered the Message.

Prorogua-
tion of the
Court.

Mr. Secretary came down with the following Message from his Excellency the Governour, *viz.*

Gentlemen, His Excellency directs that this Great and General Court or Assembly be Prorogued to Tuesday the twenty-fifth Day of *March* next, at ten o'Clock in the Forenoon.

And then Mr. Secretary declared the said Court to be Prorogued to that Time accordingly.



Anno Regni Regis GEORGII, II. *Magne Britanniae et Hiberniae &c.*
Vicesimo Octavo.




A

JOURNAL

Of the Honourable House of

REPRESENTATIVES.

At a Great and General Court or Assembly of His Majesty's Province of the *Massachusetts-Bay* in *New-England*, begun and held at *Boston* in the County of *Suffolk*, upon Wednesday the 29th Day of *May*, *Anno Dom.* 1754. and from thence continued by fundry Prorogations to Tuesday the 25th Day of *March* following, and then met at *Boston* aforesaid, being the third Session of said Court.

 Quorum of the House being met, Ordered, That Col. *Brattle*, Judge *Russell*, Col. *Miller*, Major *Fry*, and Capt. *Livermore*, be a Committee to acquaint his Excellency, that there is a Quorum of the House ready to proceed to the Business of the Session.

Quorum of the House met.

Who returned they had delivered the Message.

Mr. Speaker communicated to the House a Letter from Mr. Agent *Bollan*, dated *Henrietta-Street* January 9th 1755. also the Duplicate of another dated *Pall-Mall* September 19th 1754.

Letter from Agent Bollan

Which were read.

John Tasker, Esq; chosen Clerk of the House *pro Tempore*, and sworn to the faithful Discharge of that Office.

Mr. Tasker Clerk, pro Tempore.

Mr. Secretary brought down a Message from his Excellency the Governour, directing the House to attend him in the Council Chamber.

Message from the Governor.

Mr. Speaker and the House went up accordingly ; when his Excellency was pleas'd to make a SPEECH to both Houses : Of which Mr. Speaker obtain'd a Copy ; and then with the House returned to their own Chamber.

The House having taken his Excellency's SPEECH into Consideration, Ordered, That Mr. Speaker, Mr. *Welles*, Judge *Russell*, Col. *Brattle*, and Mr. *Ruggles*, be a Committee to prepare an Answer to the same.

Committee on Governor's Speech

'Then the House adjourn'd 'till to Morrow Morning ten o'Clock.

A a a a

Mercurii

Mercurii 26. Die Martii, A. D. 1755.

Petition of
Mr. James
Bouteneau &c

A Petition of Mr. *James Bouteneau*, and Mr. *William Bowdoin*, Guardian of five of the Children of *Belthazier Bayard*, praying for Liberty to make Sale of some Lands in *Eastham*, the Estate of said Minors, as also a Piece of Land in the Town of *Harwich*, to *Nathan Young*, for the Reasons mentioned.

Read and committed to Col. *Storer*, Col. *Bradford*, and Capt. *Stevens*, to consider and report thereon.

Who reported thereon.

Report
thereon.

Read and accepted, and *Ordered*, That the Prayer of the Petition be granted, and that the Petitioners in their said Capacity be and are hereby impowered to make Sale of the Piece of Land mentioned in the Petition to the said *Nathan Young*, and execute a good Deed of Sale for passing the Title of the same, and that the Money arising by said Sale be let out at Interest for the Benefit of their Wards; and that the said Guardians give Bond to the Judge of Probate for the County of *Suffolk*, for the faithful Performance of their Trust as Guardians relating thereto.

Sent up for Concurrence.

Petition of
Nath. Loring.

A Petition of *Nathanael Loring*, in Behalf of his Daughter, a Minor, praying that he may be impowered to sign and execute a divisional Deed of certain Parcels of Land set forth and described in said Petition, for the Reasons mentioned.

Read and committed to Col. *Storer*, Col. *Bradford*, and Capt. *Stevens*, to consider and report thereon.

Report of an
Answer to
Governor's
Speech.

The Committee appointed to make Answer to his Excellency's SPEECH of Yesterday, reported that they had prepar'd an Answer: Which was read and accepted.

On a Motion made and seconded, *Ordered*, That Mr. Speaker, Col. *Brattle*, and Col. *Bradford*, be a Committee to inquire into the Complaints of the *Stockbridge* Indians, now in *Boston*, and make Report thereon as soon as may be.

Petition of
*Matthew
Bridge*.

A Petition of *Matthew Bridge*, praying that he with his Lands, now in *Cambridge*, may be annexed to *Waltham*, for the Reasons mentioned.

Read and *Ordered*, That the Petitioner serve the Northwest Precinct of the Town of *Cambridge* with a Copy of this Petition, by leaving an attested Copy thereof with their Precinct Clerk, that they shew Cause, (if any they have) on the first Friday of the next May Session, why the Prayer thereof should not be granted.

Sent up for Concurrence.

Petition of
*Margaret
Stratten*.

A Petition of *Margaret Stratten* and others, said *Margaret* Widow and Relict of *Jabez Stratten*, praying they may have Leave to make Sale of the Real Estate of said *Jabez*, deceased, for the Reasons mentioned.

Read and committed to Capt. *Livermore*, Col. *Clap*, and Mr. *Tyler*, to consider and report thereon.

Who

Who reported thereon.

Read and accepted, and *Ordered*, That the Prayer of the Petition be so far granted, that *John Starr*, one of the Petitioners, in his Capacity as Administrator, be impowered to make Sale of all the Real Estate that the said *Jabez* died seized & possessed of, and that he make and execute a good Deed or Deeds for conveying the same to such Person or Persons that will give most for the same, he observing the Directions in the Law for the Sale of Real Estates, and that one third Part of the Proceeds of such Sale be allowed to the said Widow during her natural Life, she giving Bond to the Judge of Probate for the County of *Middlesex* with sufficient Surety, that the said third Part shall at her Decease return to the lawful Heirs of the said *Jabez*; and that the said *John Starr* be accountable to the Judge of Probate for the other two Thirds.

Report on
the foregoing
Petition.

Sent up for Concurrence.

A Petition of *Jacob Tubs* of *Pembroke*, praying that he may have an Allowance for the Boarding and Lodging *Josiah Meads*, a Soldier &c. Read and committed to Major *Gerrish*, Col. *Storer*, and Capt. *Spurr*, to consider and report thereon.

Petition of
Jacob Tubs.

Post Meridiem.

On a Motion made and seconded, *Voted*, That his Excellency the Governour be desired as soon as may be, to issue a Proclamation, pursuant to an Act passed the last Session of this Court, strictly prohibiting all Vessels having any Provisions on Board sailing or departing out of any Part or Harbour in this Province, unless the Master hath first given Bond to the Impost Officer to deliver the same in some Parts of his Majesty's Dominions, and that he will within eighteen Months Return a Certificate thereof from the Collector or chief Officer of his Majesty's Customs at the Port or Ports of Delivery, and where such are wanting from the chief Magistrate of such Place of Delivery; Provisions necessary for the Vessels Company, and Cod-Fish to be Landed in any Part of *Europe*, excepted.

Vote for de-
siring his Ex-
cellency to
issue a Pro-
clamation
&c.

Sent up for Concurrence.

Whereas the Inferiour Court of Common Pleas for the County of Middlesex, stands Adjourned to the first Tuesday of April next; and whereas two of the Justices of the said Court will probably be unable (by Reason of bodily Indisposition) to give their Attendance thereat, at the Time mentioned: And whereas divers Persons concerned in said Court are Members of the General Court or Assembly, and the Importance of the more publick Affairs of the Province demand their Attendance:

Adjourn-
ment of
Charlestown
Court.

Therefore,

Ordered, That all Suits, Processes, and Recognizances, and other Matters whatsoever having Day in said Court of Common Pleas to be holden by Adjournment as aforesaid, be and they are hereby continued unto the Inferiour Court of Common Pleas to be holden at *Cambridge* in and for the County of *Middlesex* on the third Tuesday in *May* next; and shall be then and there heard tried and

and determined ; and such Trial & Determination shall be deemed good and effectual in Law to all Intents and Purposes as if had or made within the Town of *Charlestown* at the Adjournment of said Court first mentioned: And the Justices of said Court and all Persons concerned, are to conform themselves accordingly.

Sent up for Concurrence.

His Excellency desired to write to *Newfoundland*, &c.

Voted, That his Excellency the Governour be desired to write to the Commanders of his Majesty's Ships of War and other his Majesty's Officers in *Newfoundland*, to restrain as much as in them lies the Exportation of any Provisions to the French Settlements in *America*, and to acquaint them with the Resolutions of this and the neighbouring Governments on that Head.

Sent up for Concurrence.

Message from the Governour.

A Message from his Excellency the Governour to both Houses, by Mr. Secretary, *viz.*

Gentlemen of the Council and House of Representatives,

AS I apprehend it is absolutely necessary for prosecuting the Expedition agreed upon by the Governments of New-England, that a standing Committee for laying in all Warlike Stores, and other Matters requisite to be done in the Recess of the Court, should be immediately appointed, as was in the Case of the Expedition against Cape-Breton: I desire that you would proceed as soon as may be to chuse such a Committee.

[*proceed*]

W. SHIRLEY.

Committee on the foregoing Message.

The House taking the said Message into immediate Consideration, *Voted*, That Mr. Speaker, Mr. *Welles*, Capt. *Joseph Williams*, Col. *Brattle*, *James Bowdoin*, Esq; and Mr. *James Russell*, with such as the honourable Board shall join, be a Committee to prepare Provisions, Warlike Stores, and other Things requisite for the Expedition referred to in his Excellency's Message, so far as may be necessary on the Part of this Government.

Sent up for Concurrence.

Commissary General directed.

Voted, That the said Committee of War direct the Commissary-General to make an Estimate of the Cost and Charge of the intended Expedition Westward, and lay the same before the House.

Then the House adjourn'd 'till to Morrow Morning nine o'Clock.

Jovis 27. Die Martii, A. D. 1755.

Order on Col. *Bradstreet's* Petition.

ON a Motion made and seconded, *Ordered*, That the Consideration of the Petition of *John Bradstreet*, Esq; as entred last Session, be revived, and that it be recommitted with the Papers accompanying the same, to the former Committee.

James Minot, Esq; brought down the Vote of the House of Yesterday relating to the Embargo. Pass'd in Council, *viz.* In Council *March 27th 1755*. Read and concur'd with the Amendment at A.

Sent down for Concurrence.

Read and concur'd with the further Amendment at B.

Sent up for Concurrence.

A

A Petition of *Duncan Campbell*, Esq; of *Oxford*, praying that the Sheriff of the County of *Worcester* may be enabled to ballance an Execution in Favour of *Elisba Putnam* (now pretended to be the Property of the Rev. *David Hall* of *Sutton*) against the Petitioner and one *Davis*, with an Execution in Favour of the Petitioner and *Davis* against said *Putnam*, for the Reasons mentioned.

Petition of
Duncan Campbell, Esq;

Read and Ordered, That the Petitioner serve Mr. *David Hall*, with a Copy of this Petition, that he shew Cause, if any he have, on the fourth of *April* next, if the Court be then Sitting, if not, on the second Friday of the next *May* Session, why the Prayer thereof should not be granted, and that Execution be stay'd in the mean Time, he the said *Campbell* giving Security to the Sheriff of the County of *Worcester* to pay all Damages that may be sustained by Means of this Delay.

Order there-
on.

Sent up for Concurrence.

Post Meridiem.

A Message from his Excellency by Mr. Secretary, viz.

Gentlemen of the House of Representatives,

Message
from the Go-
vernour.

This accompanies a Memorial of Major Enoch Freeman, Commander of the Fort at Falmouth, setting forth the Repairs necessary to be made at the said Fort, and Stores wanting there, and praying that the Fort may be repaired and Stores supply'd at the publick Charge; and the rather because of the Expence of Stores at the Time of my Interview with the Eastern Indians. This Request seems reasonable to me, and therefore must recommend it to your Consideration.

Council Chamber Mar. 27. 1755.

W. SHIRLEY.

The foregoing Message was read, as also the Memorial accompanying the same, and committed to Mr. *John Hunt*, Mr. *Tyng*, Col. *Brattle*, Col. *Lawrence*, and Mr. *Sever*, to consider and report what it may be proper for the House to do thereon.

Committee
on said Mes-
sage.

On a Motion made and seconded, Ordered, That Mr. *Welles*, Judge *Russell*, and Mr. *Tyng*, be a Committee to prepare and bring in a Bill to prevent any Vessels departing this Province that might by any Means give Intelligence to the French of the Dispositions making in this and the neighbouring Governments at the present Conjunction.

Committee
for a Bill.

Isaac Royall, Esq; brought down the following Vote, pass'd in Council, viz. In Council March 27th 1755.

Whereas large Quantities of Counterfeit Half Pence of a base Metal have by evil minded Persons been imported into this Province, and the Currency of the said base Half Pence, as also of French and other small Copper Coin continually increases, and there is great Danger that an heavy Loss may soon fall upon the Inhabitants who may be possessed of such Coins unless some speedy Measures be taken to prevent it:

Vote of
Council
relating to
base Half-
Pence bro't
down.

Therefore,

Ordered, That *John Cushing* and *Thomas Hutchinson*, Esqrs; with such as the honourable House shall join, be a Committee to consider and report what may be proper to be done by this Court on this Occasion.

Sent down for Concurrence.

Read and concur'd, and *James Bowdoin*, *John Chandler*, and *Samuel Livermore*, Esqrs; are joined in the Affair.

Then the House adjourn'd 'till to Morrow Morning nine o'Clock.

B b b b

Veneris

Veneris 28. Die Martii, A. D. 1755.

Accounts
for billeting
Soldiers
committed.

Sundry Accounts of Capt. *Timothy Woodbridge*, and others of *Stockbridge*, of Billetting Soldiers sent from *Connecticut*, for their Defence, were presented.

Read and committed to Mr. *Tyng*, Col. *Storer*, and Mr. *Witt*, to consider and report what it may be proper for this Court to do thereon.

Vote on Pro-
vince Tax
on several
Towns.

The Committee appointed last Session to consider the State of the Province Tax laid on the several Towns of *Stoughton*, *Wrentham*, *Pembroke* and *Hallifax*, reported.

Read and accepted, and Voted, That for the future the Sum of *five Shillings & ten Pence* for each *Thousand Pounds* be taken from the Town of *Stoughton*'s Proportion of the Province Tax, and be added to the Town of *Wrentham*; and also in the next Tax the Town of *Stoughton* be abated *five Pounds three Shillings and ten Pence*, and that said Sum be added to said *Wrentham*'s Province Tax.

Also that for the future there be taken from the Town of *Hallifax*'s Proportion of the Province Tax *fifteen Pence* for each *Thousand Pounds*, and added to the Town of *Pembroke*; and also in the next Tax Act the Town of *Hallifax* be abated *one Pound two Shillings & two Pence*, and that said Sum be added to said *Pembroke*'s Province Tax. Sent up for Concurrence.

Petition of
Lieut. *James
Johnson*.

A Petition of Lieut. *James Johnson*, shewing that by the Authority of this Government he has been stopped in his Proceedure to *Canada*, to redeem the Captives there, praying this Court would consider and relieve his distressed Circumstances &c.

Read and committed to Col. *Partridge*, Col. *Brattle*, and *James Bowdoin*, Esq; to consider and report thereon.

Committee
for Inquiry.

Ordered, That Judge *Russell*, Mr. *Tyng*, and Col. *Brattle*, be a Committee to enquire of the Treasurer, whether it be probable he can speedily borrow any considerable Sum of Money.

Bill reported

Col. *Hale* from the Committee appointed Yesterday to prepare a Bill to enable the Agent of this Province to borrow Money in *Great Britain* &c. reported

A Bill Intituled *An Act to impower the Agent of this Province at the Court of Great Britain to borrow Money for the Use of the Province*.

Which he read and laid on the Table.

Petition of
Capt. *Wm.
Pierce*.

A Petition of Capt. *William Pierce* of *Stow*, in the County of *Middlesex*, praying he may be allowed his Nursing, Doctoring &c. when Sick, being taken in the Expedition up *Kennebeck-River*.

Read and committed to Col. *Storer*, Mr. *Jones*, and Capt. *Stevens*, to consider and report thereon.

Message
from the
Governour.

A Message from his Excellency the Governour by Mr. Secretary. Which is as follows,

Gentlemen of the House of Representatives,

I Now lay before you an Account of the Charge of the Hire of Horses and Guides for Lieut. Colonel Mercer and Ensign Cousins, Officers of Sir William Pepperrell's Regiment, in that Part of their Travel in
his

his Majesty's Service from Boston to Norwalk : Upon finding that my own Lieutenant Colonel, & Lieut. Colonel Mercer and their Servants were provided with Horses & Guides at the Charge of the other Governments in their Way from Virginia to Boston, and that in particular the Government of Connecticut furnished them with Horses at the Expence of the Government from Norwalk to Boston : I made no Doubt but it would be judged as Reasonable that the like Charges should be paid here to Col. Mercer & Ensign Cousins for their Travel from hence to Norwalk ; which I accordingly paid, and have no other Way for Reimbursement but out of the publick Treasury ; wherefore I desire Gentlemen, you would make the Grant accordingly.

Council Chamber

W. SHIRLEY.

March 28th 1755.

Read and Ordered, That his Excellency's Message be taken under Consideration at four o'Clock Afternoon.

Ordered, That his Excellency the Captain-General be desired to give Assurances to the Soldiers that may enlist in the Expedition Westward, that they shall be discharged in eight Months, and that they shall not be sent to the Southward of *New-York*. Vote relating to Soldiers.

Sylvanus Bourn, Esq; brought down the Petition of *Samuel Adams* and *John Glenna*. Pafs'd in Council, viz. In Council March 28th 1755. Read and Ordered, That this Petition be dismiss'd. Petition of Sam. Adams &c.

Post Meridiem.

On a Motion made and seconded, Ordered, That there be allowed and paid out of the public Treasury unto each able-bodied and effective Man Non-Commission Officer and private Soldier who shall enlist in the Expedition Westward, the Sum of *eighteen Shillings* over and above the Bounty already granted, to be paid upon their enlisting ; and in Case they appear upon Muster without sufficient Fire Arms, said Sum to be deducted out of their Wages : And the Wages and Subsistence of said Non-Commission Officers and Soldiers shall commence upon their Arrival at the Place of general Rendezvous within this Province, with a proper additional Allowance for Travel to the Place of Rendezvous : And that his Excellency the Captain-General be desired to give Assurance to said Soldiers that they shall not be sent upon any Service to the Southward of *Albany*, and be discharged in eight Months from their being first mustered ; and that his Excellency be desired to issue his Proclamation accordingly. Allowance &c. to Soldiers enlisting.

Sent up for Concurrence.

According to Order the House took under Consideration his Excellency's Message of this Day, and after a Debate thereon : Debate &c. on Gover's Message.

Voted, That Capt. *Livermore*, Major *Gerrish*, and Mr. *Gibbs* of *Newton*, be a Committee to take the same under Consideration, and Report.

A Message from his Excellency the Governour by Mr. Secretary, to both Houses : Which is as follows,

Gentlemen of the Council and House of Representatives,

Governor's
Message to
both Houses
relating to
the Expedition
to
Crown-Point
&c.

‘ **Y**OU desired in your Vote passed at the Close of the last Session, that upon my being informed that the Governments of *Connecticut, Rhode-Island, & New-Hampshire*, had agreed to the proposed Expedition to *Crown-Point*, I would further issue my Proclamation for raising this Province's Quota of four Thousand Men exclusive of the eight Hundred Men proposed to be raised by *New-York &c.*

‘ The Advices I have received from *New-York*, give me no Encouragement to hope that any Men will be raised by that Government ; but we have all imaginable Reason to expect that they will bear their Part of the Burthen of the Expedition by furnishing Money, or providing Warlike and other Stores for the Service of it : I shall therefore give Orders for raising so many Men over and above the twelve Hundred first proposed, as shall be tho't the Proportion of this Province, to the Deficiency occasioned by the Failure of *New-York* ; I suppose it to be about three Hundred Men ; but if you are inclined to be more exact in Ascertaining the Number, and will signify it to me, I shall be ready to comply with your Desire.

‘ The Loyalty and Zeal for his Majesty's Service, which you have shewn upon this and other Occasions, affords me the greatest Satisfaction : I am sensible that you must find a great deal of Difficulty in defraying the Charges that must attend your Measures ; but yet I cannot help recommending to you to go on one Step further as the most likely Way to render those you have taken before more effectual : I mean, to give some Encouragement for an Attack upon your avowed and barbarous Enemies the Indians of the *St. Francois* Tribe, who have treated you with such Perfidy and Cruelty, that I think you ought to Revenge it as far as is in your Power ; and the Surprize which this Attack must give the French, will undoubtedly draw off a Part of their Force from their other Frontier Settlements : The Manner and Degree of this Encouragement, I leave to your Consideration.

W. S H I R L E Y.

March 28th 1755.

Ordered, That his Excellency's foregoing Message be taken under Consideration to Morrow Morning ten o'Clock.

The Committee appointed on the Petition of Capt. *Wm. Pierce*, as entred Yesterday, reported as their Opinion that the Petition be dismiss'd.

Read and accepted, and the said Petition is dismiss'd accordingly.

Then the House adjourn'd 'till to Morrow Morning nine o'Clock.

Sabbati 29. Die Martii, A. D. 1755.

ON a Motion made and seconded, *Ordered*, That as a further Encouragement to able-bodied and effective Men to engage in the Expedition to *Crown-Point*, each Non-Commission Officer and private Soldier shall receive one Month's Advance Pay upon the first Muster. Order for Advance-Wages.

Sent up for Concurrence.

A Bill Intituled *An Act to empower the Agent of this Province at the Court of Great Britain to borrow Money for the Use of the Province*. Bill engros'd.

Read a second and third Time and pass'd to be engros'd.

Sent up to the honourable Board by Mr. *Welles*, Judge *Russell*, Col. *Brattle*, Col. *Hale*, Mr. *Niles*, Col. *Lawrence*, and Col. *Clap*.

The House, according to Order, took under Consideration his Excellency's Message of Yesterday, and after a Debate thereon ; Vote on Gov Message of Yesterday.

Voted, That his Excellency the Captain-General be desired to inlist three Hundred able-bodied effective Men for the Expedition to *Crown-Point*, in Addition to the twelve Hundred Men already granted, and that they shall have the same Bounty and Wages in all Respects as those heretofore ordered.

James Minot, Esq; brought down the Vote appointing a Committee to provide Provisions, Warlike Stores &c. for the Expedition Westward, with a Vote of Council, viz. In Council March 29th 1755. Vote of Council bro't down.

Ordered, That *John Erving*, Esq; be added to the Committee of War, *Samuel Watts*, Esq; one of that Committee thro' Indisposition of Body being unable at present to attend that Service.

Sent down for Concurrence.

Read and unanimously non-concur'd.

Voted, That there be allowed and paid out of the public Treasury the Sum of *One Hundred Pounds* to such Person or Persons as shall actually kill any Indian of the *St. Francois* Tribe, and produce the Scalp in Evidence thereof to the Governour & Council: And further that the Sum of *One Hundred & ten Pounds* be allowed for a Captive of said Tribe ; the Money not to be paid to any Person or Persons unless they are sent out by the Commander in Chief of this Province, nor before satisfactory Evidence is given to the Governour and Council that the Indian killed, or the Captive taken, was actually of that Tribe. Bounty for St. Francois Indians killed or taken alive.

Sent up for Concurrence.

A Bill Intituled *An Act to encourage & facilitate the Removal and Prevention of French Encroachments on his Majesty's North-American Territories*. Bill engros'd.

Read a first second and third Time, and pass'd to be engros'd.

Sent up for Concurrence by Mr. *Welles*, Mr. *Witt*, Col. *Storer*, Capt. *Edson*, and Col. *Lawrence*.

Post Meridiem.

The Committee appointed on the Petition of Major *Enoch Freeman*, reported.

C c c c

Read

Read and accepted, and *Ordered*, That the Town of *Falmouth* be and hereby are directed to Repair the Fort in said Town within three Months from this Time, or return the Money into the Province Treasury granted to build a Fort there within six Months; and that the Commissary-General be directed to supply said Town with three Barrels of Powder, three Quire of Cartridge Paper, and a new Flagg for the Use of said Fort, in Lieu of what was expended and worn out while his Excellency was there at the last Interview with the Eastward Indians.

Sent up for Concurrence.

Report on
Petition of
James Johnson.

The Committee appointed on the Petition of *James Johnson*, reported.

Read and accepted, and *Ordered*, That the Sum of *ten Pounds* be allowed and paid out of the publick Treasury to the Petitioner for his present Support and Encouragement.

Sent up for Concurrence.

Vote of
Council
bro't down.

John Otis, Esq; brought down a Vote, pass'd in Council, *viz.*
In Council *March 29th 1755.*

Voted, That *Jacob Wendell* and *John Erving*, Esqrs; with such as the honourable House shall join, be a Committee to make Inquiry as soon as may be, whether Money may not be borrowed for paying the Charge or any Part of the Charge of the intended Expedition to *Crown-Point*, and upon what Terms (if it may be borrowed) and what Sum, and that they report thereon on Monday next.

Sent down for Concurrence.

Read and non-concur'd.

Vote desir-
ing the Go-
vernour to
write &c.

Voted, That the Governour be desired to write to the Governours of the several Governments in *North-America*, that they effectually (for the present) put a Stop to any Trade's being carried on from their respective Governments with the French in any of their Ports in *North-America*. Sent up for Concurrence.

Committee
for a Bill.

Ordered, That *Col. Hale*, *Col. Brattle*, and *Capt. Richardson*, be a Committee to prepare a Bill for the Supply of the Treasury with the Sum of _____ to be applied towards the Expedition Westward.

Who reported a Bill Intituled *An Act empowering the Province Treasurer to borrow the Sum of Five Thousand Pounds and for applying the same to defrey the Charges of the intended Expedition Westward*. Which was read a first second and third Time, and pass'd to be engross'd.

Sent up for Concurrence by *Col. Chandler*, *Capt. Goodwin*, and *Mr. Witt*.

Message to
the Board.

Ordered, That a Message go up to the honourable Board to desire them to give Dispatch to the Business before them, that the Court may rise this Evening, if his Excellency pleases.

Vote for a
Præmium
bro't down.

John Greenleaf, Esq; brought down the Vote granting a Præmium to such Person or Persons as should kill or captivate any of the *St. Francois* Tribe of Indians &c. Pass'd in Council, *viz.*

In

In Council *March 29th 1755.* Read and concur'd, as taken into a new Draught. Sent down for Concurrence.

Read and non-concur'd; and the House adhere to their own Vote. Sent up for Concurrence.

John Wheelwright, Esq; brought down the following Vote, pass'd in Council, viz. In Council *March 29th 1755.* Voted, That the Committee of War be and hereby are authorized and impowered to appoint one or more Persons to meet with such Person or Persons as may be appointed by all or any of the Governments concerned in the Western Expedition, and to settle and determine what Stores may be necessary to be provided by this and the other Governments respectively for the Service of said Expedition. Vote of Council bro't down.

Sent down for Concurrence.

Read and concur'd.

John Chandler, Esq; brought down the following Vote, pass'd in Council, viz. In Council *March 29th 1755.* Voted, That *John Osborne, Thomas Hutchinson, and Stephen Sewall, Esqrs;* with such as the honourable House shall join, be a Committee to prepare an humble Address to his Majesty for Relief under our present distressed Circumstances; as also Instructions to the Agent, to be transmitted by the same Vessel in which the Act for borrowing Money in *England* shall be sent. Vote of Council bro't down.

Sent down for Concurrence.

Read and non-concur'd.

Ordered, That *Col. Brattle, Col. Hale, Col. Storer, James Bowdoin, Esq; and Col. Lawrence,* be a Committee to wait upon his Excellency the Governour, and inform him, the House has dispatch'd the Business before them, and desire the Court may rise this Evening, if his Excellency pleases. Message to the Governour.

An engross'd Bill Intituled *An Act to impower the Agent of this Province at the Court of Great Britain to borrow Money for the Use of the Province.*

Read and Resolved, That the Bill pass to be enacted.

An engross'd Bill Intituled *An Act to impower the Province Treasurer to borrow the Sum of Five Thousand Pounds, and for applying the same to defrey the Charges of the intended Expedition Westward.* Bill enacted.

Read and Resolved, That the Bill pass to be enacted.

John Chandler, Esq; brought down a Vote pass'd in Council, viz.

In Council *March 29th 1755.*

Voted, That *John Osborne, Thomas Hutchinson, and Stephen Sewall, Esqrs;* with such as the honourable House shall join, be a Committee to prepare Instructions to the Province Agent, authorizing and impowering him, in the most humble Manner to Address his most excellent Majesty, to represent the distressed Circumstances of this Province, and to pray for his Majesty's most gracious Relief; and the said Committee are to sign said Instructions in Behalf of this Court, and to transmit the same by the first Opportunity. Vote of Council bro't down.

Sent down for Concurrence.

Read

Read and concur'd, and Mr. Speaker, Mr. *Welles*, Mr. *James Bowdoin*, and Mr. *Tyng*, are joined in the Affair.

Bill enacted. An engros'd Bill Intitl'd *An Act to encourage and facilitate the Removal and Prevention of French Encroachments on his Majesty's North-American Territories.*

Read and *Resolved*, That the Bill pass to be enacted.

Governor's
Adjourn-
ment of the
Court. A Message from his Excellency the Governour by the Deputy Secretary, *viz.*

Gentlemen, His Excellency directs that this Great and General Court be Adjourned to Tuesday the twenty-second Day of *April* next, at ten of the Clock in the Forenoon; And then the Deputy Secretary declared said Court to be Adjourned to that Time accordingly.



VOTES

Of the House of Representatives.

Martis 22. Die Aprilis, A. D. 1755.

John Otis, Esq; brought down the Petition of *John Littlehale*, and others. Pass'd in Council, viz. In Council March 29th 1755 Read again; and it appearing that the Town of *Dracut* has been served with a Copy of this Petition, and have made no Answer thereto: Petition of *John Littlehale* bro't down.

Therefore

Ordered, That the Prayer of the Petition be granted, and the Petitioners with their Estates mentioned in the Petition, be and hereby are set off from the Town of *Dracut*, and annexed to the Town of *Dunstable*, there to do Duty and receive Priviledge accordingly, provided the Petitioners pay the Taxes already laid on them by the Town of *Dracut*. Sent down for Concurrence.

Read and concur'd.

A Petition of *Joseph Pierce*, praying that the Court of Sessions for the County of *Middlesex* may be impowered to Licence him an Innholder in the Town of *Woburn*, for the Reasons mentioned. Petition of *Jos. Pierce*.

Read and Ordered, That the Prayer of the Petition be so far granted as that the Justices of the Court of General Sessions of the Peace for the County of *Middlesex* at their next Term, be and hereby are impowered, if they think fit, to Licence the Petitioner to be an Innholder in the Town of *Woburn*, the Time for granting of Licences being elapsed notwithstanding, provided he obtain the Approbation of the Select-Men of said Town.

Sent up for Concurrence.

Ordered, That Capt. *Williams* go up with a Message to the honourable Board to inquire whether they have passed upon the Vote relating to granting a Præmium for Scalps &c. Messages to the Board.

Who returned that he was informed that they had not passed upon it.

Then Ordered, That a Message go up to the honourable Board to desire said Vote might be sent down.

Which was brought down by *John Otis*, Esq;

D d d d

Ordered,

Committee
relating to
St. Francois
Indians.

Ordered, That Col. *Choate*, Col. *Hale*, and Judge *Russell*, with such as the honourable Board shall join, be a Committee to consider and report what may be proper for this Court to do to encourage any Persons to go forth against the *St. Francois* Tribe of Indians; and also that the Petition of *Isaac Waldron*, who proposes to go forth against said Indians upon proper Encouragement, be committed to said Committee. Sent up for Concurrence.

Then the House adjourn'd 'till to Morrow Morning nine o'Clock.

Mercurii 23. Die Aprilis, A. D. 1755.

Petition of
Capt. *Abiah*
Whitman.

A Petition of Capt. *Abiah Whitman*, of *Weymouth*, Guardian to *Sarah Richards* of *Abington*, a Minor, praying for Liberty to make Sale of the whole of the Real Estate of the said *Sarah*, for the Reasons mentioned.

Read and committed to Capt. *Prat*, Mr. *Niles*, and Col. *Miller*, to consider and report thereon.

Committee
relating to
Actions at
Plymouth
Court.

Ordered, That Col. *Otis*, Col. *Clap*, and Judge *Russell*, be a Committee to prepare and bring in a Bill to give Day to all Actions and Processes that by Law should have been heard and tried at the Inferiour Court in the County of *Plymouth* on the third Tuesday of *March* last, which failed by Reason of extraordinary Weather.

Petition of
Sam. Lynde.

A Petition of *Samuel Lynde* of *Liecester*, praying that the Justices of the Court of Sessions in the County of *Worcester*, may be empowered to Licence him to keep a Tavern in a different House than that he now lives in, for the Reasons mentioned.

Read, and the Question was put, *Whether the Prayer of the Petition should be granted?* It pass'd in the Negative.

Committee
to prepare a
Resolve.

On a Motion made and seconded, Ordered, That Col. *Hale*, Col. *Choate*, and Mr. *Tyng*, be a Committee to prepare a Resolve respecting the Dogs in the Town of *Beverly*.

Petition of
Joseph Bane.

A Petition of *Joseph Bane*, belonging to the Block-House at *St. George's*, praying that his Pension from the Government may be paid him agreeable to the original Value of it, for the Reasons mentioned.

Read and committed to Mr. *Bradbury*, Mr. *Foster*, and Mr. *Niles*, to consider and report thereon.

Petition of
Josiah Barker

A Petition of *Josiah Barker* of *Pembroke*, Guardian of *John Dwelle*, a Minor, Son of *Joseph Dwelle*, late of *Scituate*, deceased, praying he may be empowered to make Sale of said Minor's Real Estate, consisting of fourteen Acres and Half of Land, for the Reasons mentioned.

Read and committed to Mr. *Turner*, Col. *Bradford*, and Major *Stockbridge*, to consider and report thereon.

Petition of
Rev. *Jabez*
Wood.

A Petition of the Rev. Mr. *Jabez Wood*, Pastor of the first Church in *Swansey*, and *Benjamin Kingsley* and *Thomas Peck*, Agents for said Church, praying that some suitable Person or Persons may be enabled

enabled to make Conveyance of certain Lands called Pastor and Teachers Land, which the General Court heretofore did grant Liberty to be sold &c. for the Reasons mentioned.

Read and committed to Col. *Leonard*, Col. *Otis*, and Mr. *William Bowdoin*, to consider and report thereon.

Ordered, That Col. *Brattle*, Mr. *Tyng*, Col. *Choute*, Col. *Otis*, and Col. *Bradford*, be a Committee to make an Establishment for the Officers that may be appointed to go in the intended Expedition to *Crown-Point*. Committee for Establishment of Officers Wages.

Mr. Secretary brought down two Letters from his Excellency Governour *SHIRLEY*; one dated *Jamaica New-York, April 6th 1755*, the other *Philadelphia April 9th 1755*; both directed to the Secretary. Which were read. Letters from the Governor, &c. bro't down.

Mr. Secretary brought down a Letter from his Excellency Governour *WENTWORTH* to his Honour Lieut. Gov. *PHIPS*, dated *Portsmouth April 11th 1755*. Which was read.

Post Meridiem.

Whereas the Inhabitants of the Town of Beverly being of Opinion that the Destruction of their Sheep of late Years was occasioned more by Wolves than unruly Dogs, have made Application to this Court, that the Operation of the Act passed in the last May Session relating to such Dogs might be suspended: Vote relating to unruly Dogs.

Therefore,

Voted, That the respective Assessors of the Town of *Beverly* for the Years 1755 & 1756, be and hereby are required in the making the Assessments of said Years respectively to omit taxing any Persons in Consequence of the *aforesaid Act*.

Sent up for Concurrence.

A Petition of *Jeremiah Finney* and *Deborah* his Wife of *Bristol*, praying for Liberty to make Sale of her Real Estate lying in *Dux-borough*, for the Reasons mentioned. Petition of Jer. Finney.

Read and committed to Major *Stockbridge*, Mr. *Niles*, and Col. *Brattle*, to consider and report thereon.

A Petition of *Timothy Taylor* of *Medford*, praying that the Court of Sessions for the County of *Middlesex* may be impowered to Licence him an Innholder in said Town, for the Reasons mentioned. Petition of Tim. Taylor.

Read and Ordered, That the Prayer of the Petition be granted, and that the Justices of the Court of Sessions of the Peace for the County of *Middlesex*, be and hereby are impowered, if they think fit, to Licence the Petitioner an Innholder in the Town of *Medford*, he obtaining the Approbation of the Select-Men of said Town, the Time for granting Licences being elapsed notwithstanding.

Sent up for Concurrence.

A Petition of *Ebenezer Fuller*, Jun. Guardian to *John Eaton* of *Hallifax*, in the County of *Plymouth*, a Person *non Compos*, praying he may be impowered to make Sale of the Real Estate of the said *John Eaton*, for the Reasons mentioned. Petition of Eben. Fuller, Jun.

Read and committed to Col. *Miller*, Capt. *Williams*, and Mr. *John Winslow*, to consider and report thereon.

Petition of
Mary Thompson.

A Petition of *Mary Thompson* of *Bellingham*, praying that she may be allowed the Doctor's Bill for her late Husband *Joseph Thompson*, who was a Soldier for the Province in the late Expedition up *Kennebeck-River*, for the Reasons mentioned.

Read and committed to Col. *Brattle*, Col. *Bradford*, and Major *Reed*, to consider and report thereon.

Petition of
Archibald Greenfield
bro't down.

Eleazer Porter, Esq; brought down the Petition of *Archibald Greenfield* of *Salem*. Pass'd in Council, viz. In Council *April 22d 1755*. Read and Ordered, That the Petitioner serve the adverse Party with a Copy of this Petition, that he shew Cause (if any he have) on the second Wednesday of the next *May* Session, why the Prayer thereof should not be granted, and that Execution be stayed in the mean Time, provided the Petitioner give sufficient Security to the Sheriff of the County of *Essex* to pay what now is or finally may be adjudged due. Sent down for Concurrence.

Read and concur'd.

Petition of
Sam. Lawrence.

A Petition of *Samuel Lawrence* and his Wife, both Indians of *Natick*, praying for Liberty to make Sale of Part of their Real Estate, for the Reasons mentioned.

Read and committed to Col. *Bradford*, Capt. *Williams*, and Capt. *Richardson*, to consider and report thereon.

Letter from
Andr. Oliver,
Esq;

Thomas Hutchinson, Esq; brought down a Letter from *Andrew Oliver*, Esq; directed to him, dated *Elizabeth-Town 11th April 1755*, containing Matters of a public Nature. Which was read.

Deputy Secretary directed.

Ordered, That the Deputy Secretary be directed forthwith to attend the House; and that Mr. Speaker give Order to him to lay before the House the Duplicate of the several Draughts upon the Treasury which have been paid since Mr. Treasurer *Gray* was in Office.

The Deputy Secretary attended the House accordingly: When Mr. Speaker was pleased to give Order that the said Draughts on the Treasury should be laid on the Table of the House.

The said Papers were accordingly brought down, and laid on the Table by the Deputy Secretary.

Report on
Petition of
Jer. Finney.

The Committee appointed on the Petition of *Jeremiah Finney* and *Deborah* his Wife, reported.

Read and accepted, and Voted, That the Prayer of the Petition be granted, and that the said *Jeremiah Finney Jun.* and *Deborah* his Wife, be and hereby are fully authorized and impowered to make Sale of the thirteen Acres of Land mentioned in the Petition, and execute a Deed of the same, and that said Deed executed as aforesaid, shall to all Intents & Purposes whatsoever be as valid in Law as if the said *Deborah* had been of the full Age of twenty one Years.

Sent up for Concurrence.

Committee
on Encour-
agement to Sol-
diers.

Ordered, That Col. *Otis*, Col. *Brattle*, Col. *Choate*, Capt. *Nichols*, and Judge *Russell*, be a Committee to consider and report what may be further necessary to be done to encourage Soldiers to enlist for the *Crown-Point* Expedition.

Ordered,

Ordered, That Mr. *Tyng*, *James Bowdoin*, Esq; Col. *Otis*, Mr. *James Russell*, Mr. *William Bowdoin*, Col. *Brattle*, and Judge *Russell*, be a Committee to examine the several Draughts on the Treasury, this Day laid on the Table, and report thereon as soon as may be.

Committee
on Treasur-
er's Drafts.

George Leonard, Esq; brought down the Petition of *Edward-Augustus Holyoke* of *Salem*. Pass'd in Council, *April 23d 1755*. Read and Ordered, That the Prayer of the Petition be granted, and that the Petitioner in his Capacity of Guardian to the Minors mentioned in the Petition, be and hereby is authorized and empowered to join with the other Persons interested in the Buildings and Land mentioned, in making Sale of the same, and to execute a good and sufficient Deed or Deeds of Conveyance of the same, the said Minors Proportion of the Proceeds of such Sale, to be let out at Interest, or otherwise improved for their greatest Benefit, the said Guardian to be accountable to the Judge of Probate for the County of *Essex* for the principal Sum and Interest arising therefrom, with the Application thereof, when thereunto lawfully required.

Petition of
Edward-Augustus Holyoke
bro't down.

Sent down for Concurrence.

Read and concur'd.

George Leonard, Esq; brought down the Papers containing the Complaints of the *Martha's-Vineyard* Indians, with the Answer of their Guardians, with other Papers accompanying the same.

Complaints
of *Martha's-Vineyard* In-
dians &c.

In Council *April 23d 1755*. Read and sent down.

Read and Ordered, That the same be committed to the Committee appointed on the 17th of *April 1754*, to examine the Accounts of the Guardians of the Indians of *Martha's-Vineyard*.

Isaac Royall, Esq; brought down the Petition of *Jonathan Tyng*, and others. Pass'd in Council, viz. In Council *April 23d 1755*. Read again, together with the Answer of *Ephraim Spaulding*, in Behalf of the Town of *Chelmsford*, and Ordered, That *Eleazer Porter*, Esq; with such as the honourable House shall appoint, be a Committee to take this Petition under Consideration, hear the Parties, and report what they judge proper for this Court to do thereon.

Petition of
Jonath. Tyng,
and others,
bro't down.

Sent down for Concurrence.

Read and concur'd, and Col. *Brattle*, and Col. *Otis*, are joined in the Affair.

Then the House adjourn'd 'till to Morrow Morning ten o'Clock.

JOHIS 24. Die Aprilis, A. D. 1755.

A Petition of *William Joiner*, and others, *James Vandusen*, and others; as also a Memorial of *John McAnther*; all setting forth the distressing Circumstances of the People living on the Province Lands West of *Sheffield*, particularly that the Dutch had kill'd one *William Race* &c.

Petition of
Wm. Joiner,
and others.

Read and Ordered, That Mr. *Welles*, Major *Hawley*, Major *Gerrish*, Col. *Leonard*, and Col. *Dwight*, with such as the honourable Board shall join, be a Committee to consider said Petitions, and report as soon as may be.

Sent up for Concurrence.

E e e e

Ordered,

Order relat-
ing to Trans-
fers &c.

Ordered, That there be a Transfer made of *four Hundred Pounds* from the Appropriation of Forts and Garrisons, to the Appropriation for the Pay of the Court ; and also from the said Appropriation of Forts and Garrisons to that of Debts where there is no Establishment the Sum of *four Hundred and fifty Pounds* ; and also from the same Appropriation to that of the Payment of Soldiers, the Sum of *two Hundred seventy two Pounds nine Shillings & nine Pence*, and that the Treasurer of the Province conform himself accordingly.

Sent up for Concurrence.

Report on
Petition of
Josiah Barker
bro't down.

The Committee appointed on the Petition of *Josiah Barker*, reported.

Read and accepted, and *Ordered*, That the Prayer of the Petition be granted, and that the said *Josiah Barker* be and hereby is (in his Capacity) impowered to make Sale of the fourteen and half Acres of Pasture Land mentioned in the Petitioner for the most the same will fetch, and to execute a good Deed or Deeds thereof, provided the Petitioner observe the Direction of the Law for the Sale of Real Estates, and give sufficient Caution to the Judge of Probate for the County of *Plymouth*, that the Proceeds arising by said Sale, be applied to be Payment of the Debts of said Minor, and that the Remainder be put out on Interest for the Benefit of the said Minor.

Sent up for Concurrence.

Petition of
Wm. Welch.

A Petition of *William Welch* of *Boston*, Administrator on the Estate of *Elizabeth Welch* late of *Boston*, deceased, praying that he may be enabled to make Sale of all the Real Estate said *Elizabeth* died seized of, for the Reasons mentioned.

Read and committed to Col. *Lawrence*, Col. *Richards*, and Mr. *Steel*, to consider and report thereon.

Capt. *Richardson* of a
Committee.

Ordered, That Capt. *Richardson* be of the Committee on the Petition of *Stephen Pain*, in the Room of Mr. *Foster*, who is absent.

Sent up for Concurrence.

Report on
Petition of
Jonathan Tyng,
bro't down.

John Greenleaf, Esq; brought down the Petition of *Jonathan Tyng* and others, with a Report of a Committee of both Houses thereon.

Signed *Eleazer Porter*, per Order.

In Council *April* 24th 1755. Read and *Ordered*, That the Report be accepted, and that the Lands mentioned in the Petition be annexed to the Town of *Dunstable* accordingly.

Sent down for Concurrence. Read and concur'd.

Vote of
Council re-
lating to the
Small-Pox.

Isaac Royall, Esq; brought down the following Vote. Pass'd in Council, viz. In Council *April* 24th 1755.

There being one Man sick of the Small-Pox on Board a Vessel arrived from Jamaica, now lying in Nantasket-Road, and it being of great Importance (more especially at this Juncture) that the said Distemper should be prevented from spreading ; and whereas it may be necessary for this Court to give some special Orders on this Occasion :

Ordered, That *Benjamin Lynde* and *John Chandler*, Esqrs; with such as the honourable House shall join, be a Committee to consider what is proper for this Court to do thereon.

Sent down for Concurrence.

Read and concur'd, and Mr. Speaker, Mr. *Tyng*, and Col. *Hale*, are joined in the Affair.

Isaac

Isaac Royall, Esq; brought down the Report of the Committee to Farm out the Excise upon Tea in the County of *Bristol*. Report on the Excise on Tea &c. in *Bristol* County.

Signed *George Leonard*, per Order.

In Council *October* 18th 1754. Read and sent down.

Read and accepted, and Ordered, That the Sum of *twelve Shillings* be allowed and paid out of the public Treasury to said Committee in Discharge of said Account. Sent up for Concurrence.

A Message from his Honour the Lieutenant Governour, by Mr. Secretary, viz.

Gentlemen of the House of Representatives,

I Think it necessary to represent to you the present ill Condition of divers of the Platforms at his Majesty's Castle William, some being decayed, and others (by Reason of the Plank with which they are laid) not being thick and strong enough to bear the Weight of the Guns in Time of Action, so that I apprehend it unsafe to have them lie in this Condition; and therefore I desire you would make Provision for the immediate Repairs of those Platforms. Message from his Honour the Lt. Governor.

Council Chamber

S. P H I P S.

April 24th 1755.

The House took the foregoing Message into immediate Consideration; and after a Debate thereon, Ordered, That the Committee for the Repairs of Castle William, be directed as soon as may be, to make the necessary Repairs of the Platforms there, and if they think fit, to repair Part of them with flat Stones. Order thereon.

Sent up for Concurrence.

John Chandler, Esq; brought down the Petition of the Select-Men of the Town of *Medford*. Pafs'd in Council, viz. In Council *April* 23d 1755. Read, and Voted, That it is the true Intent and Meaning of the Act referred to in the foregoing Petition, that the Inhabitants of *Medford* should have Liberty of taking Fish in *Medford-River* not exceeding two Days in the Week, with not more than two Seines: And it is hereby Ordered, That in Case the Select-Men of *Cambridge*, *Charlestown*, and *Medford*, or the major Part of them being met together, shall not before the 29th Current agree upon and ascertain the particular Day or Days in each Week in which Fish may be taken as aforesaid, and also whether with one or more Seines; that then, and in every such Case, the Select-Men of *Medford* alone may determine the same, and Liberty granted by them alone, shall be as valid and sufficient as if the same had been granted by the Select-Men of the several Towns aforesaid. Petition of Town of *Medford* bro't down.

Sent down for Concurrence.

Read and nonconcur'd, and Ordered, That this Petition be dismissed.

Ordered, That Col. *Brattle*, Judge *Russell*, and Col. *Choate*, be a Committee to take under Consideration a Letter from his Excellency Governour WEE T W O R T H, to his Honour Lieut. Governour PHIPS, dated *April* 6th 1755. which he hath been pleased to lay before the House, and consider and report what it may be proper for this House to do thereon. Committee on a Letter to his Honour. [Wentworth]

The

Report on
Petition of
Eben. Fuller.

The Committee appointed on the Petition of *Ebenezer Fuller*, Jun. Guardian to *John Eaton*, mentioned in the Petition, reported.

Read and accepted, and *Voted*, That the Prayer of the Petition be granted, and that the Petitioner be and hereby is impowered to sell the Whole of said *Eaton's* Real Estate mentioned in the Petition, for the most it will fetch ; and to make and execute good and sufficient Deed or Deeds in the Law, provided the said Guardian duly observe the Rules of the Province Law respecting the Sale of Intestate Estates, and give sufficient Caution to the Judge of Probate for the County of *Plymouth* that the Proceeds coming by said Sale be applied for the Payment of the just Debts of the said *Eaton*, and the Remainder thereof improved to the best Advantage for the Use and Benefit of the said *Eaton* and his Heirs.

Sent up for Concurrence.

Report on
Petition of
Sam. Lawrence &c.

The Committee appointed on the Petition of *Samuel Lawrence* and *Elizabeth* his Wife, Indians of *Natick*, reported.

Read and accepted, and *Voted*, That the Prayer of the Petition be so far granted, as that the Petitioners have Liberty to make Sale of the thirty three Acres of Land mentioned in the Petition, with the Assistance and under the special Direction of their Guardians, and that the Proceeds coming thereby be also under the Care of the said Guardians, apply'd to defrey the Charge of their late Sickness, and Purchase of the Lands mentioned in the Petition, with other just Debts, and the Residue (if any there be) to be improved by the said Indians Guardians for the Benefit of the Petitioners, the said Guardians to be accountable. Sent up for Concurrence.

Printer of
the Temporary
Laws
directed.

Ordered, That the Printer employed to print the Temporary Laws, be directed, at the Charge of the Government, to deliver one to each Member of the General Court, one to each Town and District in the Province, one to the Clerk of the Superiour Court, and one to each of the Clerks of the Courts in the several Counties in the Province, for their Use. Sent up for Concurrence.

Post Meridiem.

Petition of
Nathan Pea-
body & Spencer
Bennet bro't
down.

Isaac Royall, Esq; brought down the Petition of *Nathan Peabody* and *Spencer Bennet*, with a Vote of Council thereon, viz. In Council April 24th 1755. *Ordered*, That *George Leonard* and *John Otis*, Esqrs; be of the Committee on this Petition, in the Room of *Samuel Watts* and *John Hill*, Esqrs, who are absent; and that the said Committee hear the Parties (who are now attending) and make Report what they judge proper for this Court to do thereon, as soon as may be. Sent down for Concurrence.

Read and concur'd.

Bounty to
Soldiers in-
listing for
Crown Point.

Voted, That as a further Encouragement to the Non-Commission Officers and Soldiers that inlist to go in the Expedition to *Crown-Point*, that six Dollars shall be paid to each able-bodied effective Man that shall provide himself sufficient Fire Arms (to be inclusive of that already granted by the Government) viz. four Dollars at the Time of inlisting, and the other two upon their Muster and

producing

producing their Fire-Arms, and that their Pay commence at the Time they have or may inlist, and their Subsistence at the Time of their marching from their Habitations to the Place of Rendezvous, and that no Deduction be made out of their Wages for any of the Dollars they may receive, and that the Commander in Chief be desired forthwith to make the same public.

Sent up for Concurrence.

John Cushing, Esq; brought down the Report of the Committee of both Houses appointed this Day to consider what might be done with the Person sick of the Small-Pox on Board a Vessel from *Jamaica*. Report of a Committee relating to a Person sick of the Small Pox.

Signed *Benjamin Lynde*, per Order.

Who reported as their Opinion, that the commanding Officer of the Forces lodged at the public Hospital, be desired forthwith to remove the Men placed there, that so the infected Persons or Goods, as are likely to spread the Infection may be there received and taken Care of.

In Council *April* 24th 1755. Read and Ordered, That this Report be accepted, Sent down for Concurrence.

Read and concur'd.

Roland Cotton, Esq; returned Representative for the Town of *Sandwich*, appeared in the House: *Roland Cotton* Esq; returned Representative from *Sandwich*.

Ordered, That *Col. Clap*, attend him to the Gentlemen appointed by Dedimus to administer the Oaths to the several Members &c.

Who reported that the said *Col. Cotton* had taken the Oaths &c. subscribed the Declaration according to Law &c.

And then *Col. Cotton* took his Seat in the House; and having represented, that thro' Indisposition of Body he had not attended his Duty in the House, he was excused.

On a Motion made and seconded, Ordered, That the Petition of the Reverend Mr. *John Rogers* be revived, and that the Petitioner serve the first Parish in the Town of *Boxford*, with a Copy of said Petition, by leaving a Copy thereof with their Clerk, that they shew Cause, (if any they have) on the second Thursday of the next *May* Session, why the Prayer thereof should not be granted. Petition of Rev. Mr. Rogers revived.

Sent up for Concurrence.

The Committee appointed on the Petition of *Abiah Whitman*, as entred Yesterday, reported.

Read and accepted, and Ordered, That the Prayer of the Petition be so far granted, as that the Petitioner in his Capacity of Guardian to *Sarah Richards*, be and hereby is impowered to make Sale of the Lands referred to in the Petition; he to observe the Direction of the Law for the Sale of Real Estates, and give sufficient Caution to the Judge of Probate for the County of *Suffolk*, that the Proceeds of said Sale be let out on Interest, and that both Principal and Interest be paid to her or her legal Representative, when she shall arrive to the Age of twenty one Years, excepting so much as shall be necessarily expended on the said *Sarah* in her Minority, and allowed by the Judge of Probate for said County. Report on Petition of *Abiah Whitman*.

Sent up for Concurrence.

F f f f

Joseph

Report on *Bristol* Excise on spirituous Liquors. *Joseph Pynchon*, Esq; brought down the Report of the Committee appointed to Farm out the Excise upon spirituous Liquors in the County of *Bristol*. Signed *George Leonard*, per Order. In Council. Read and sent down.

Read and *Ordered*, That the Report be accepted, and that there be allowed and paid out of the public Treasury the Sum of *one Pound four Shillings and eight Pence* in full of their Account.

Sent up for Concurrence.

Petitions of *Palm. Goulding*. A Petition of *Palmer Goulding* of *Worcester*, praying he may be allowed one Year longer before he be enjoined to pay *twenty Pounds*, the Purchase Money of a Tract of Land he bought of the Government, for the Reasons mentioned. Read.

Also another Petition of the said *Goulding*, praying the Government would allow him a Præmium in Case he discover an infallible Cure for the Throat Distemper.

Which was read, and both the said Petitions were committed to *Col. Hale*, *Col. Richards*, and *Col. Brattle*, to consider and report thereon.

Petition of *Aaron Plumer* bro't down. *Joseph Pynchon*, Esq; brought down the Petition of *Aaron Plumer*, with a Vote of Council thereon, *viz.* In Council *April 24th 1755*. Voted, That *James Minot*, Esq; be of the Committee on this Petition, in the Room of *Sylvanus Bourn*, Esq; who is absent, and that the Committee hear the Parties, now attending, and report. Sent down for Concurrence.

Read and concur'd, and *Ordered*, That *Col. Clap*, be of the Committee in the Room of *Col. Prebble*.

Sent up for Concurrence.

Petition of *Joshua Brand* bro't down. *Benjamin Lincoln*, Esq; brought down the Petition of *Joshua Brand*. Pass'd in Council, *viz.* In Council *April 24th 1755*. Read again, together with the Answer of *Nathanael Bullard*, and the other Papers, and thereupon *Ordered*, That this Petition be dismiss'd.

Sent down for Concurrence.

Read and nonconcur'd, and *Ordered*, That the further Consideration of this Petition be referred to next *May* Session; and in the mean Time it's recommended to the Guardians of the *Natick* Indians to examine the Accounts referred to in the Petition, and that Execution be stay'd in the mean Time.

Sent up for Concurrence.

Petition of *Patience Thomas* &c. A Petition of *Patience Thomas* and *Caleb Brand*, Indians of *Pembroke*, praying that a Lease made by their Guardians of their Lands to *Henry Joslyn* and others, may be set aside &c. for the Reasons mentioned.

Read and committed to *Major Stockbridge*, *Major Nichols*, and *Col. Clap*, to consider and report thereon.

Then the House adjourn'd 'till to Morrow Morning nine o'Clock.

Veneris 25. Die Aprilis, A. D. 1755.

A Petition of *Daniel How*, Jun. who was a Soldier in the Province Service in the Year 1748, and Captivated with others by the Indian Enemy, when on a Scout near *Fort-Dummer*, praying that the like Allowance might be made him as was made to the others who were taken with him. Petition of *David How*.

Read and committed to Col. *Storer*, Major *Hawley*, and Capt. *Kidder*, to consider and report thereon.

On a Motion made and seconded by divers Members, Order relating to a public Dinner.
Ordered, That a public Dinner be provided in the Town of *Boston*, for the Representatives (and they only) that may be returned from the several Towns to serve in the General Court the next Year; and that the Members of the Town of *Boston* that may be chosen for the ensuing Year, are desired to contract with some Person to provide the same in the most frugal Manner they can, and they take effectual Care that the Province be not imposed upon by any undue Charges, or otherwise.

Mr. *James Russell*, presented his Account of providing Stamps and a Machine to stamp the several Instruments that by Law are to be stamped. Mr. *Russell's* Account of the Charge of Stamps.

Read and committed to Col. *Otis*, Col. *Partridge*, and Mr. *Witt*, to consider and report thereon.

Benjamin Lincoln, Esq; brought down the Report of a Committee of both Houses appointed the 22d Instant. Report of a Committee relating to Allowance &c. to those who go against the *St. Francois* Indians.

Signed *Samuel Danforth*, per Order.

In Council *April 25th 1755*. Read and sent down.

Read, and thereupon *Voted*, That an Allowance be made to a competent Number of Men, including Officers, to be Commissioned by the Captain General, that shall go forth against the Indians of the *St. Francois* Tribe, as follows, viz. To each one Blanket, needful Ammunition, thirty Weight of Bread, and one Dollar; and that the Allowance for every Captive that shall be taken and brought to *Boston*, belonging to that Tribe, or the *Beckencores*, be *seventy five Pounds*; and for every Indian Scalp of those Tribes, or any other that in an hostile Manner shall oppose them in such their Undertaking, the like Sum of *seventy five Pounds*; to be paid out of the public Treasury by Order from the Governour and Council; that when the said Company shall be compleated and the Officers duly appointed, the Commissary-General shall deliver the Blankets, Ammunition, Bread and Dollars aforesaid, to the Captain, or his Order; the said Captain first giving Bond to the Province Treasurer for the Use of the Province in a Sum double in Value to the Articles so delivered, that in Case he and his Company shall not forthwith (or as soon as conveniently may be) *bona fide* proceed to *St. Francois* (unless inevitably prevented) and use their best Endeavours that the proposed Enterprize be carried into Execution against the Indian Enemy of that Tribe, and his Endeavours for preventing his Company from diverting from that Undertaking, whereby

whereby the Designs and Expectations of this Government should be frustrated, that then and in such Case he shall forfeit and pay to the Province Treasurer, for the Use of the Province, the full Value of the several Articles mentioned that shall be delivered him (or Order) as aforesaid.

Sent up for Concurrence.

Order relating to the Inferior Court at Plymouth which fail'd by Reason of a Storm.

Whereas at the Time when the Inferiour Court of Common Pleas was to have been holden at Plymouth within and for the County of Plymouth, on the first Tuesday of March last, there was a severe Storm and deep Snow, so that the Justices of the said Court, and Parties concerned, could not travel and attend at said Court, whereby the said Court and all Actions and Processes were discontinued : Therefore

Ordered, That all Actions, Pleas and Processes which were to have been heard and tried at said Court, be heard and tried at the next Inferiour Court of Common Pleas to be held at Plymouth, within and for the County of Plymouth, on the third Tuesday of May next ; and the Justices of the said Court be and hereby are impowered to hear and determine all said Actions and Causes, and Award Execution as fully to all Intents and Purposes, as they might have done if said Actions, Pleas and Processes had come before them at said Court on the first Tuesday of March last, and the said Court had been opened to have heard and tried the same ; and the Sheriff of the said County of Plymouth is hereby directed to cause this Order forthwith to be made public by posting up the same in some public Place in the same County, and to be inserted in some one of the public News-Papers.

Sent up for Concurrence.

A Message from his Honour the Lieutenant Governour to both Houses, by Mr. Secretary, viz.

His Honor's Message relating to his Excellency's Letter to the Secretary.

Gentlemen of the Council and House of Representatives,
HIS Excellency in his public Letter directed to the Secretary, dated Jamaica New-York April 6th 1755. having intimated that Matters of Moment depend upon his seeing the present Assembly at all Events, and has express'd his Desire that I would keep the Court Sitting till his Return : And this being an Affair of an unusual Nature and great Importance, I would act therein (in Case his Excellency should not return in Time) in such Manner as may be best for the Safety and Benefit of the Public ; and therefore desire your Advice and Assistance herein in such Way as upon due Consideration of the Matter may be tho't most regular and necessary.

Council Chamber

April 25th 1755.

S. P H I P S.

Committee thereon.

Read, and the House took the same into immediate Consideration, and Ordered, That Mr. Tasker, Col. Hale, Judge Russell, Col. Brattle, and Col. Otis, with such as the honourable House shall join, be a Committee to take the said Message under Consideration, and report as soon as may be what it may be proper for the Court to do thereon.

John

John Erving, Esq; brought down the Petition of the first Precinct in *Middleborough*, with a Vote of Council thereon, viz. In Council *April* 25th 1755. Ordered, That *George Leonard*, Esq; be of the Committee on the within Petition, in the Room of *Samuel Watts*, Esq; who is sick; and that the said Committee repair to *Middleborough*, in the Recess of the Court, hear the Petitioners, consider their Circumstances, and report at the next *May* Session, what they judge proper for this Court to do thereon.

Petition of first Parish in *Middleboro'* bro't down.

Sent down for Concurrence. Read and concur'd.

On a Motion made and seconded, Ordered, That Capt. *Livermore*, Mr. *Gibbs* of *Salem*, and Major *Stockbridge*, be a Committee to make up a List of the Travel and Attendance of the several Members of the House from the last List to the 26th of *April* inclusive.

Committee for List.

On a Motion made and seconded by divers Members, The Question was put, *Whether any Establishment should be made for a Surgeon-General, or Pay allowed to such an Officer in the intended Expedition to Crown-Point?*

It pass'd in the Negative.

The Committee appointed to prepare an Establishment of Wages for the Officers going in the intended Expedition to *Crown-Point*, reported.

Establishment for Officers in the *Crown-Point* intended Expedition.

	£.	s.	d.	
<i>Voted</i> , That the Wages for a Colonel to each Regiment, consisting of 500 Men, be	12	16	0	Per Month
For one Lt. Colonel for such Regiment,	10	13	4	Ditto
For one Major to Ditto.	9	1	4	Ditto
For a Commissary for Ditto.	3	4	0	Ditto
For a Captain of 50 Men including Officers,	4	16	0	Ditto
For one Lieut. for such Company,	3	4	0	Ditto
For one Ensign for Ditto.	2	2	8	Ditto
For one Chaplain to each Regiment,	6	8	0	Ditto
For one Adjutant to each Regiment,	2	2	8	Ditto
For one Surgeon to each Regiment,	10	0	0	Ditto
For one Surgeon's Mate to Ditto.	5	6	8	Ditto
For three Sergeants to each Comp. to each	1	14	1	Ditto
For four Corporals to each Company, to each	1	9	10	Ditto
For one Clerk to each Company,	1	14	1	Ditto
For one Drum Major,	1	14	1	Ditto
For one common Drummer to each Comp.	1	9	10	Ditto
For one Armourer to each Regiment,	2	0	0	Ditto

Sent up for Concurrence.

James Minot, Esq; brought down the Vote passed this Day, granting an Encouragement to such Persons as should go against the *St. Francois* Indians &c. Pass'd in Council, viz. In Council *April* 25th 1755. Read and concur'd with the Amendment at A.

Vote relating to *St. Francois* Indians bro't down.

Sent down for Concurrence. Read and concur'd.

Then the House adjourn'd 'till to Morrow Morning nine o'Clock.

Sabbati 26. Die Aprilis, A. D: 1755.

Petition of
Nathan Pea-
body &c. bro't
down.

I *Saac Royall*, Esq; brought down the Report of a Committee of both Houses, on the Petition of *Nathan Peabody* and *Spencer Bennet*: Which is as follows, *viz.* That they have heard the Parties, and duly considered their respective Pleas and Allegations, and report that the Petition be dismiss'd.

Signed *George Leonard*, per Order.

In Council *April 25th 1755.* Read and Ordered, That the above Report be accepted, and that the Petition be dismiss'd accordingly.

Sent down for Concurrence.

Read and concur'd.

Report of a
Committee
on Warlike
Stores.

The Committee appointed to take under Consideration an Account presented of sundry Warlike Stores provided for the intended Expedition to *Canada*, by the Commissary-General, reported.

Read and accepted, and thereupon Voted, That the Commissary-General be directed to send to the respective Officers forthwith to return their several Accounts of such Arms, and other Warlike Stores, prepared for the late intended *Canada* Expedition, who have received the same, that so they may be improved in his Majesty's Service in the present Expedition forming against his Enemies on this Continent; and in Case any of said Arms or Stores shall appear to have been embezzel'd and lost by any of the Officers to whom delivered, that then such Officer or Officers be respectively held and obliged to pay the Value thereof to the Commissary-General.

Sent up for Concurrence.

Report of a
Committee
on the Ex-
cise in *Barn-*
stable.

John Hill, Esq; brought down the Report of the Committee appointed to farm out the Excise on spirituous Liquors in the County of *Barnstable*.

Signed *John Otis*, per Order.

In Council *April 25th 1755.* Read and sent down.

Read and accepted, and Ordered, That there be allowed and paid out of the public Treasury to the said Committee the Sum of *two Pounds fifteen Shillings*, in full of their Account.

Sent up for Concurrence.

John Hill, Esq; brought down the Report of a Committee appointed to farm out the Excise upon Tea, Coffee &c. in the County of *Barnstable*.

Signed *John Otis*, per Order.

In Council *April 25th 1755.* Read and sent down.

Read and Ordered, That the said Report be accepted, and that there be allowed and paid out of the public Treasury the Sum of *two Pounds thirteen Shillings* to said Committee, in full of their Account.

Sent up for Concurrence.

Vote on *Ply-*
mouth Court
bro't down.

John Hill, Esq; brought down the Vote of the House of Yesterday, relating to *Plymouth* Inferiour Court. Pass'd in Council, *viz.* In Council *April 26th 1755.* Read and concur'd with the Amendment at A.

Sent down for Concurrence.

Read and concur'd.

Ordered,

Ordered, That Col. *Otis*, Mr. *Welles*, and Major *Hawley*, be a Committee to prepare an Answer to his Honour the Lieut. Governor's Message of Yesterday, and report as soon as may be.

Committee on his Honour's Message.

Post Meridiem.

John Erving, Esq; brought down the Petition of *James Whitcomb* and others. Pass'd in Council *April 25th 1755*. Read and *Ordered*, That the Consideration of the said Petition be referred to the second Thursday of the next *May* Session.

Petition of *James Whitcomb* &c. bro't down.

Sent down for Concurrence. Read and concur'd.

The Committee to whom was referred the Consideration of the Petition of *William Welch*, as entred the 24th Instant, reported.

Report on Petition of *Wm. Welch* bro't down.

Read and accepted, and thereupon *Voted*, That the Prayer of the Petition be so far granted, as that the Petitioner be and hereby is empowered in his Capacity within mentioned, to make Sale of the Real Estate mentioned in the Petition to such Person or Persons as will give most for the same, and to execute a good and sufficient Deed or Deeds in the Law, he observing the Rules in the Law for the Sale of Intestate Estates, and giving proper Caution to the Judge of Probate for the County of *Suffolk*, to render an Account of the Proceeds of such Sale, that the same may be distributed according to Law.

Sent up for Concurrence.

John Hill, Esq; brought down the Petition of *William Joiner*, and others, with a Report of a Committee of both Houses thereon.

Report on Petition of *Wm. Joiner*, &c. bro't down.

Signed *Thomas Hutchinson*, per Order.

In Council *April 26th 1755*. Read and sent down.

Read and *Ordered*, That the said Report be accepted.

Sent up for Concurrence.

John Hill, Esq; brought down the Report of a Committee of both Houses appointed to take under Consideration the State of the People on the Province Land Westward of *Sheffield & Stockbridge*. Pass'd in Council, *viz.* In Council *April 26th 1755*. Read and *Ordered*, That this Report be accepted.

Report of a Committee on the State of some Persons living on Province Lands.

Sent down for Concurrence.

Read and concur'd, with the Amendment, *viz.* dele at A, and insert as at B.

Sent up for Concurrence.

The Committee appointed to prepare an Answer to his Honour's Message of Yesterday, Reported the following Answer, *viz.*

May it please your Honour,

THE House of Representatives have with much Attention considered your Message of Yesterday; and as the Sitting of the General Assembly after Writs are issued for calling a new Assembly, is contrary to the most ancient and uninterrupted Practice in our Mother Country, and the universal Custom to his Majesty's Government in all the Plantations, we cannot but be humbly of Opinion, that the ancient and constant Practice in this Province of issuing Writs thirty Days before the last Wednesday in *May*, and previous to it the dissolving the then present General Court, is most for the Peace and good Order of this Province, and most conducive to his Majesty's Interest.

Answer to his Honour's Message of Yesterday.

Read

Committee to wait on his Honour. Read and *Ordered*, That Mr. *Welles*, Col. *Brattle*, Col. *Hale*, Col. *Otis*, and Mr. *Quincy*, be a Committee to wait on his Honour the Lieut. Governour with the foregoing Answer to his Honour's Message.

Petition of *Thos. Steel* Esq bro't down. *John Erving*, Esq; brought down the Petition of *Thomas Steel*, Esq; Pass'd in Council, viz. In Council *April* 24th 1755. Read again, together with the Answer of *John Burnet*, and other Papers, and thereupon *Ordered*, That this Petition be dismiss'd.

Sent down for Concurrence.

Read and non-concur'd, and *Ordered*, That the Consideration of this Petition and Answer be referred to next *May* Session, and that Execution be stay'd in the mean Time.

Sent up for Concurrence.

Report on Account of Mr. *James Russell*. The Committee appointed on the Account of Mr. *James Russell*, of preparing a Machine & Materials for the Stamp Office, reported. Read and accepted, and *Ordered*, That there be allowed and paid out of the public Treasury the Sum of *forty Pounds fifteen Shillings & four Pence* to the said Mr. *James Russell*, in full Discharge of said Account.

Sent up for Concurrence.

List of Travel &c. of Members. The Committee appointed to prepare a List of the Travel and Attendance of the several Members of this House, ending the 26th of *April* Currant, presented the same.

Which was read and approved, and *Ordered*, That the Clerk attest and certify the same.

Report on Farming out Excise on spirituous Liquors &c. in *Middlesex*, *York* & *Essex*. *John Erving*, Esq; brought down the Report of the Committee appointed to farm out the Excise on spirituous Liquors in the County of *Middlesex*. Signed *Ezekiel Cheever*, per Order.

In Council *April* 25th 1755. Read and sent down.

Read and *Ordered*, That the said Report be accepted, and that there be allowed and paid out of the public Treasury the Sum of *five Pounds two Shillings & two Pence* to said Committee, in full Discharge of their Account of Farming. Sent up for Concurrence.

Isaac Royall, Esq; brought down the Report of the Committee appointed to farm out the Excise on spirituous Liquors in the County of *York*. Signed *John Hill*, per Order.

In Council *April* 25th 1755. Read and sent down.

Read and *Ordered*, That the said Report be accepted, and that there be allowed and paid out of the public Treasury the Sum of *three Pounds nine Shillings & eight Pence* to said Committee, in full Discharge of their Account of farming the same.

Sent up for Concurrence.

John Hill, Esq; brought down the Report of the Committee appointed to farm out the Excise on spirituous Liquors in the County of *Essex*. Signed *Benj. Lynde*, per Order.

In Council *April* 26th 1755. Read and sent down.

Read and *Ordered*, That the said Report be accepted, and that there be allowed and paid out of the public Treasury, the Sum of *two Pounds seven Shillings & six Pence* to said Committee, in full Discharge of their Account of farming the same.

Sent up for Concurrence.

James

James Minot, Esq; brought down the Report of the Committee appointed to farm out the Excise on Tea, Coffee &c. in the County of *Suffolk*. Signed *John Erving*, per Order.

Report on
farming the
Excise on
Tea &c. in
Suffolk Coun-
ty.

In Council *April* 26th 1755. Read and sent down.

Read and *Ordered*, That the said Report be accepted, and that there be allowed and paid out of the public Treasury the Sum of *five Pounds eight Shillings & seven Pence* to said Committee, in full Discharge of their Account of farming the same.

Sent up for Concurrence.

The Committee appointed on the Petition of *Daniel How*, Jun. as entred Yesterday, reported.

Report on
Petition of
Dan. How.

Read and accepted, and thereupon *Voted*, That there be allowed and paid out of the public Treasury unto the Petitioner *Daniel How* the Sum of *two Pounds fifteen Shillings* on Account of his Sufferings and Loss of Time while in Captivity; and also the further Sum of *two Pounds* for his Gun taken from him by the Indian Enemy when he was Captivated.

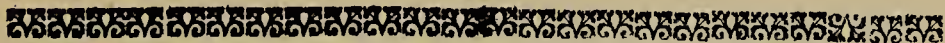
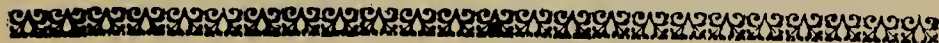
Sent up for Concurrence.

Ordered, That the Commissary-General be directed to deliver to Col. *John Storer*, two Barrels of Gun-Powder, and the like Quantity to *Edward Milliken*, Esq; to be by them disposed of to the Inhabitants in the exposed Parts of the Eastern Frontiers, provided the said *Storer* and *Milliken*, give Security to the Province Treasurer to pay the Value thereof in twelve Months from this Time.

Commissary
directed.

Sent up for Concurrence.

Then the House adjourn'd 'till Monday next eight o'Clock in the Forenoon.



VOTES

Of the House of Representatives.

Lunæ 28. Die Aprilis, A. D. 1755.

John Hill, Esq; brought down the Petition of *Mary Parker*. Pafs'd in Council, viz. In Council *April 25th 1755*. Read and Ordered, That the Petitioner serve *Phineas Parker* with a Copy of this Petition, that he shew Cause, if any he have, on the second Wednesday of the next May Session, why the Prayer thereof should not be granted.

Petition of *Mary Parker* bro't down.

Sent down for Concurrence.

Read and concur'd.

On a Motion made and seconded, Ordered, That there be allowed & paid out of the public Treasury to *James Otis*, Esq; the Sum of one Pound twelve Shillings for a Gun broken at *Brunswick Fort* by the Fall of a Tree, which Gun was the Property of *David Smith* and others provided by them for one *Elisha Sachem*, who was sent a Soldier to said Fort, and that said *Otis* pay the said Sum to the true Owners of said Gun.

Order for Payment for a Gun.

Sent up for Concurrence.

On a Motion made that an Allowance be granted to one *Thomas Gould*, a Soldier, for his Gun sunk in *Kennebeck-River*.

Motion for the Payment of a Gun.

Ordered, That Major *Nichols*, Capt. *Livermore*, and Col. *Lawrence*, be a Committee to make Inquiry relating to the same, and report what it may be proper for this House to do thereon.

John Hill, Esq; brought down the Petition of Mr. *John Rogers*. Pafs'd in Council, viz. In Council *April 28th 1755*. Read and non-concur'd, and the Board adhere to their own Vote.

Petition of Mr. *John Rogers* bro't down.

Sent down for Concurrence.

Read and non-concur'd, and Ordered, That the Petition be dismiss'd.

John Hill, Esq; brought down the Report of a Committee of both Houses on the Petition of *Stephen Paine* of *Malden*.

Report on Petition of *Stephen Paine* bro't down.

Signed *John Greenleaf*, per Order.

Which is as follows, viz. That they are of Opinion that the Prayer of the Petition be granted, and that the Petitioner with his Estate be set off from the South Parish, and annexed to the North Parish in *Malden*, there to enjoy Priviledge, and to do Duty for the future, he paying all such Sums as may be due from him by Virtue of any Rates or Taxes which have been heretofore assessed on the

H h h h

Inhabi-

Inhabitants of the said South Parish for defreying their Ministerial and other Parish Charges. In Council *April* 26th 1755.

Read and accepted, and thereupon *Ordered*, That the Petitioner *Stephen Paine* be set off from the South to the North Parish in *Malden* accordingly. Sent down for Concurrence.

Read and concur'd.

Report on
Petition of
first Church
in *Swansey*.

The Committee to whom was referred the Petition of the first Church of Christ in *Swansey*, reported.

Read and accepted, and *Ordered*, That the Prayer of the Petition be so far granted, as that Messieurs *Jabez Wood*, *Benjamin Kingsley*, and *Thomas Ruck*, or any two of them, be and hereby are enabled to make and execute a good and sufficient Deed or Deeds of all or any Part of the Lands mentioned in the said Petition, belonging to the said Church of *Swansey*, they attending the Order of this Court made relating to the Sale of those Lands upon the 28th of *October* 1743, in all Particulars (saving with the Advice of *Nathanael Hubbard*, Esq; and Mr. *Daniel Barney*.)

Sent up for Concurrence.

Report of a
Committee
on the West-
ward Land
bro't down.

Andrew Oliver, Esq; brought down the Report of the Committee of both Houses relating to the Western Lands. Pass'd in Council, viz. In Council *April* 28th 1755. Read and concur'd with an Amendment, viz. dele B, and insert C.

Sent down for Concurrence.

Read and concur'd with the further Amendment at B.

Sent up for Concurrence.

Committee
for an Estab-
lishment.

Ordered, That Col. *Choate*, Col. *Otis*, Major *Hawley*, Major *Nichols*, and Mr. *Tasler*, be a Committee to make a further Establishment for Officers that may go in the *Crown-Point* Expedition, and report as soon as may be.

Committee
on Billeting
&c.

Ordered, That Major *Gerrish*, Col. *Lawrence*, and Col. *Ruggles*, be a Committee to make Examination respecting the Billeting of sundry Soldiers sent to *Pontoosuck* from the Colony of *Connecticut* to build a Fort there.

Petition of
Samuel Hewes
and Son bro't
down.

Eleazer Porter, Esq; brought down the Petition of *Samuel Hewes* and Son, of *Boston*. Pass'd in Council, viz. In Council *April* 28th 1755. Read and *Ordered*, That the Prayer of the within Petition be granted, and that the Petitioners have Liberty to export the Provisions within mentioned to *Surranam*, they giving Bond to the Impost Officer to Land them there, and to return a Certificate thereof under the Hand of the principal Officer of the Customs at said *Surranam*.

Sent down for Concurrence.

Read and concur'd.

Report on
Petition of
Pal. Goulding

The Committee appointed on the Petition of *Palmer Goulding* (which related to the Cure of the Throat Distemper, reported.

Read, and thereupon *Ordered*, That the Petition be dismiss'd.

Bill relating
to Intestate
Estates read
and refered.

A Bill Intituled *An Act for explaining and ascertaining the true Intent and Meaning of several Clauses of an Act of this Province Intituled An Act for the Settling & Distribution of the Estates of Intestates &c.*

Read a first Time and referred to the next *May* Session for further Consideration.

Andrew

Andrew Oliver, Esq; requested to be admitted into the House ; *Andrew Oliver*, Esq; admitted into the House, reported &c. and was admitted accordingly :

When he was pleased to inform the House, that he was charged with a Commission by his Excellency the Governour, to repair to *New-Jersey* to solicit the Assistance of that Government in the intended Expedition to *Crown-Point*, and that he had repaired to said Government, used his best Endeavours to engage them in the Expedition ; and that said Government had agreed to raise five Hundred Men for that Purpose ; and then laid the Act of said Government relating thereto upon the Table, and withdrew.

A Petition of *Robert Erskine* of *Boston*, who was in the Expedition up *Kenebeck-River*, praying he may be allowed Bounty Money &c. for the Reasons mentioned. *Petition of Robt. Erskine*

Read and Ordered, That the Petition be dismiss'd.

A Petition of *John Slack*, Administrator to the Estate of *Richard Smith*, late of *Roxbury*, deceased, praying he may be allowed to bring forward his Appeal in an Action with *Thomas Speakman* of *Boston*, for the Reasons mentioned. *Petition of John Slack.*

Read and Ordered, That the Petitioner serve the adverse Party with a Copy of the Petition, that he shew Cause, if any he have, on the second Thursday of the next *May* Session, why the Prayer thereof should not be granted. Sent up for Concurrence.

A Message from his Honour the Lieut. Governour by Mr. Secretary, viz. That he desired the House would dispatch the Business lying before them, that the Court might be dissolved before the Writs issue for a new Assembly. *Message from his Honour.*

John Erving, Esq; brought down the Report of the Committee respecting the Sale of the Western Lands &c. Pass'd in Council, viz. In Council *April* 28th 1755. Read and concur'd, and Ordered, That *Joseph Dwight*, Esq; with such as the honourable House shall join, be a Committee for the Purposes above-mentioned. *Report relating to Western Lands.*

Sent down for Concurrence.

Read and concur'd, and *Joseph Hawley* and *John Choate*, Esqrs; are joined in the Affair.

John Erving, Esq; brought down the Petition of *Thomas Steel*, Esq; Pass'd in Council *April* 28th 1755. Read and concur'd with the Amendment at A. *Petition of Thomas Steel, Esq; bro't down.*

Sent down for Concurrence.

Read and concur'd.

Post Meridiem.

Ordered, That the Attendance of the Members of the House this Day be added to the List made up on Saturday last : Which the Committee added accordingly. *Order relating to List.*

Joseph Pyncheon, Esq; brought down the Petition of *Aaron Plumer*, with a Vote of Council thereon, viz. In Council *April* 28th 1755 Read and Ordered, That the Consideration of this Petition be referred to the second Thursday of the next *May* Session. *Petition of Aaron Plumer bro't down.*

Sent down for Concurrence.

Read and concur'd.

Ordered.

Order on Western Lands. *Ordered*, That any two of the Committee chosen this Day to dispose of the Province Lands West of *Sheffield* and *Stockbridge*, be a Quorum. Sent up for Concurrence.

Grant to *John McAnther*. *Ordered*, That there be allowed and paid out of the public Treasury to *John McAnther*, now attending this Court on public Business, to enable him to defray his Expences Home, the Sum of *thirty Shillings*. Sent up for Concurrence.

Pay of the Engineers in the intended *Crown-Point* Expedition. *Voted*, That this Government will pay their Proportion with the other Governments engaged in the intended Expedition to *Crown-Point* of the several Officers hereafter named, the respective Sums annexed, *viz.*

	£.	s.	d.	
One Engineer, who shall be Captain of the Artillery,	12	16	0	} Per Month.
One Lieutenant of the Artillery,	5	6	8	
A second Engineer,	4	5	4	
Three Sub-Engineers, each	2	13	4	
Sixteen Gunners, each	2	0	0	

Sent up for Concurrence.

Allowance for enlisting Soldiers. *Voted*, That there be allowed for enlisting the several Soldiers for the *Crown-Point* Expedition, *one Shilling & six Pence* each, to be paid to the Captains who shall enlist the same.

Officers and Soldiers Allowances &c. And that the Officers and Soldiers Allowance after their Departure from their respective Habitations to the Place of General Rendezvous for their Subsistence *eight Shillings* per Week, fifteen Miles to be accounted a Day's Travel.

And further that there be allowed for a Commissary of the Hospital *three Pounds* per Month.

And that there be given the following Allowance after the Arrival at the Place of General Rendezvous,

To each Man,	One Pound of Bread,	Per Diem.
	One Pound of Pork,	Ditto
	One Gill of Rum,	Ditto
	Half a Pint of Peas or Beans	Ditto
	Half a Pound of Sugar per	Week
	Two Ounces of Ginger,	Ditto
	One Pound of Flour,	Ditto
	One Pint of Indian Meal	Ditto
	Four Ounces of Butter	Ditto
	One Pint of Molasses	Ditto

And that the Sum of *One Hundred and fifty Pounds* be laid out by the Committee of War for Things necessary for the Sick and Wounded. Sent up for Concurrence.

Mr. Secretary came down from his Honour the Lieut. Governor, with the following Message, *viz.*

Gentlemen, It is his Honour's Pleasure, that this Great and General Court be Dissolved ; and the Members thereof are discharged from any further Attendance.



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